



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Tuesday, 5 April 2011.

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DÁIL ÉIREANN

Dé Máirt, 5 Aibreán 2011.
Tuesday, 5 April 2011.

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

Paidir.

Prayer.

Ceisteanna — Questions.

Freedom of Information

1. **Deputy Joe Higgins** asked the Taoiseach the freedom of information requests received in his Department in the past six months; and if he anticipates a change in this number for the remainder of 2011 [5799/11]

The Taoiseach: A total of 57 requests were received by my Department during the six month period from 1 October 2010 to 31 March 2011. As the Deputy will appreciate, I am not in a position to forecast the number that will be received during the remainder of 2011. All freedom of information requests received in my Department are processed by statutorily designated officials in accordance with the Freedom of Information Acts. I have no role in processing requests received.

An Leas-Cheann Comhairle: It was Deputy Higgins's question.

Deputy Micheál Martin: Since he is not here we should move to Question No. 2.

An Leas-Cheann Comhairle: We will pass on to Question No. 2.

Northern Ireland Issues

2. **Deputy Micheál Martin** asked the Taoiseach his policy in relation to investment in border-area infrastructure [5812/11]

3. **Deputy Micheál Martin** asked the Taoiseach his policy concerning cross-border bodies [5813/11]

4. **Deputy Gerry Adams** asked the Taoiseach if he has yet had the opportunity to raise with the British Government the issue of 50-50 recruitment to the Police Service of Northern Ireland [6041/11]

5. **Deputy Joe Higgins** asked the Taoiseach if he has discussed with the British Prime Minister his economic policy on Northern Ireland [6575/11]

6. **Deputy Gerry Adams** asked the Taoiseach if he will provide an assurance that the mechanism for a review of additional areas of cooperation, as part of the St. Andrews Agreement, will be undertaken; if so, when; and if he will make a statement on the matter. [6852/11]

The Taoiseach: I propose to take Questions Nos. 2 to 6, inclusive, together .

At the outset I wish to say my deepest sympathies, and I am sure the sympathies of the entire House, go to the mother and family of PSNI Constable Ronan Kerr who was callously murdered last Saturday. I, along with all the political leaders on these islands, totally condemn this act which runs completely contrary to the expressed will of the people. We will do our utmost to ensure the continuing success of the peace process and will give every support to the Garda Síochána to continue to work closely with the PSNI to tackle this threat. I will make a statement to the House on the matter later today.

With regard to the questions posed, the Government is firmly committed to infrastructure projects which will be of benefit to the island of Ireland. Infrastructure projects which have been particularly successful include Project Kelvin, the Dublin-Belfast Road and the significant level of co-operation under way to promote innovation to underpin economic growth and create employment, including increased co-operation in securing research funding under the EU Seventh Framework Programme, FP7.

We are also very supportive of all-island co-operation in the energy area. The single electricity market has been operating effectively for over three years and work is under way on a second North-South electricity interconnector. Following the acquisition of Northern Ireland Electricity by the ESB, the energy markets in both jurisdictions are more closely linked than ever. Work on the common arrangements for gas is progressing as are joint actions in the area of renewable energy.

The Government is also supportive of the A5, North West Gateway to Aughnacloy, and A8, Belfast to Larne, road projects. The completion of these roads will make a major contribution to the economy of the North and the north west and will have benefits for the whole of the island. As I said to the Northern First and Deputy First Ministers when I last met them during my recent visit to Washington, I am open to looking at more cost effective ways of delivering this project to a high quality.

There were suggestions recently that this Government lacked commitment to the development of a radiotherapy unit at Altnagelvin. The Minister for Health, Deputy James Reilly, wrote immediately in response to Michael McGimpsey confirming our commitment to the development of a satellite radiotherapy unit at Altnagelvin Hospital. It is the strong view of the Government that this provides the optimum solution to the provision of patient centred services in the Donegal area.

Let me assure the House that the Government and its Ministers with direct responsibility for the North-South bodies will continue to support fully the agencies involved and will engage constructively with their Northern ministerial counterparts to enhance and develop North-South co-operation.

The Government is fully committed to the implementation of the Good Friday and St. Andrews Agreements. As the House is aware, under the St. Andrews Agreement, it was agreed that the Northern Ireland Executive and Irish Government, under the auspices of the North-South Ministerial Council, NSMC, would appoint a review group to examine objectively, first, the efficiency and value for money of existing implementation bodies and, second, the case for additional bodies and areas of co-operation within the NSMC where mutual benefit would be derived.

I understand the consultation with relevant Ministers in both jurisdictions on all aspects of the St. Andrews Agreement Review is now nearing completion and that the St. Andrews Review Group will prepare a report for consideration by the North-South Ministerial Council at its next plenary session which will take place in June. It is hoped the process will be brought to a conclusion at that stage.

I also hope to see progress on the establishment of the North-South Consultative Forum. Proposals have been made to the Northern Ireland Executive on the role, format, membership and operation of the forum but no response to these has yet been received.

In the meantime, three consultative conferences were facilitated in Farmleigh by the previous Government involving social partners and other groups from civil society from across the island.

The establishment of the North-South Parliamentary Forum is another outstanding commitment under the St. Andrews Agreement that I would like to see progressed. Having attended the North-South Parliamentary Forum in Newcastle last October, I can see there is great potential for parliamentarians North and South to work together on issues of mutual interest. While the establishment of the North-South Parliamentary Forum is a matter for agreement between the Oireachtas and the Assembly, I hope we will see progress on this after the Assembly elections in May and I have written to the Ceann Comhairle to this effect.

Ministers with line responsibility for all of these issues will continue to work on these matters and officials have been asked to progress them in advance of the plenary session in June.

I also look forward to making progress on all of these issues in conjunction with a newly elected Northern Ireland Executive which will take office after the Assembly elections in May.

On the issue of 50-50 recruitment to the Police Service of Northern Ireland, the Tánaiste and Minister for Foreign Affairs has written to the Northern Ireland Secretary of State underlining the view of the Government that the transformation of policing is a central pillar of all that has to be achieved in the peace process. It has also been indicated to the Secretary of State that if for any reason there is any slippage or failure to make steady progress towards a fully representative force, corrective measures would have to be taken, including consideration of the re-introduction of 50-50 type provisions. We will continue to raise this with the British Government as opportunities arise.

I spoke to Prime Minister Cameron yesterday following the killing of PSNI Constable Ronan Kerr. I expect to travel to London in the relatively near future to meet with him following his invitation when I expect that, among other matters, we will discuss the general situation in Northern Ireland, including the economic challenges faced on all parts of this island.

Both Governments are aware of the need for economic growth as a stabilising factor in the peace process. I know the Secretary of State has recently launched a consultation paper on the Northern economy entitled “Rebalancing the Northern Ireland Economy” which sets out the major challenges facing the Northern economy. It is in all our interests to have a peaceful and prosperous Northern Ireland with benefits for the whole island as a consequence.

Deputy Micheál Martin: I join the Taoiseach in condemning the evil and cowardly murder of PSNI constable Ronan Kerr at the weekend. This was a shocking attack on the peace process and it is a human tragedy of immense proportions for the Kerr family. Our sympathies go out to the family, friends and neighbours of Ronan Kerr. Later today we will have an opportunity to articulate more fully our abhorrence at this horrific attack by a cowardly gang of terrorists whose sole objective is not just to visit terror upon the population of Northern Ireland but to undermine the transformation that has occurred as a result of the peace process.

Nowhere have the changes that have occurred in Northern Ireland been more evident than in the transformation of policing in that jurisdiction. All parties to the British-Irish Agreement

[Deputy Micheál Martin.]

deserve credit for that transformation, which is seen as being the way to proceed in resolving other conflicts across the globe. It is the foremost example one can suggest to people as a model to be followed in the context of conflict resolution. What occurred at the weekend was an extremely ruthless, strategic attack on the transformation to which I refer. We did not realise when we tabled these questions to the Taoiseach that such a murderous attack would take place in the interim. This attack underlines the need for vigilance in respect of the peace process. There is a need to pay constant attention to the detail of the Agreement and to moving it forward, particularly in the context of its economic and social aspects.

I tabled two of the questions in this group, the first of which relates to cross-Border infrastructure and the second to the North-South bodies. I have no difficulty with the two being taken together. I welcome the assurances provided by the Taoiseach in respect of the ongoing investment in infrastructure in Border areas. The programme for Government was somewhat light in the context of commitment in this regard. However, the Taoiseach has articulated that he is committed to the development projects relating to the A5 and A8 roads. The previous Government agreed to the allocation of between €400 million and €500 million to fund critical infrastructure for the economic and social development of the island, particularly its northern part. In the context of bringing significant inward investment to the Border area and the North in general, there is need for significant investment in the areas of utilities and infrastructure.

I ask the Taoiseach to pay particular heed to the north-west spatial study, which has been in existence for some time and in respect of which some political issues have arisen. This study is critical to unleashing the potential of the north-west corner of this island — including areas such as Donegal, Derry and elsewhere — in the context of attracting inward investment. In that regard, the relevant utilities must be upgraded. There is a good corporate tax policy in place on this side of the Border and there is a good pool of labour available on the other. If both Governments and the Executive got their act together and dealt with some of the issues that are delaying the study considerable potential could be unleashed. I ask the Government to pursue that. I also welcome the Taoiseach's confirmation of continued funding for all the areas of cross-Border infrastructure agreed by the outgoing Government.

With regard to North-South bodies, there will, shortly, be key visits by Queen Elizabeth and President Obama. Has the Taoiseach considered approaching bodies such as Tourism Ireland and InterTradeIreland to see if there are ways to highlight and use the potential of those visits to promote Ireland as a tourism and inward investment destination, particularly in Border areas and Northern Ireland itself? This is a welcome opportunity to promote Ireland through the North-South bodies. Now that the review is nearing completion, in the aftermath of the Assembly elections we should move on and be bolder by adding to the existing number of North-South bodies. There have been political issues regarding them for some time. People are becoming more comfortable with them as time passes. It is important to urge others to take a more pragmatic approach to the operation of the North-South bodies and to the creation of new bodies that could add real value to the island of Ireland in the future.

The Taoiseach: I assume there is no disagreement in the House regarding the murder of Constable Ronan Kerr. I regard this as an act of cowardice that does nothing for anybody on this island. Yesterday, I spoke to Constable Kerr's mother, Nuala. I admire her quiet courage and forthrightness in speaking out. I admire those, from all sides of the political divide in Northern Ireland, who have spoken out and acted in the interest of peace and harmony between all communities on this island. I intend to travel to the funeral of Constable Kerr tomorrow, with a number of other Members of the House, as a statement of solidarity with the Kerr family and that the Oireachtas and the vast majority of people on this island abhor what

happened. The person who placed the bomb in the footwell of Constable Kerr's vehicle may, in their own warped version, be someone of stature. That version is false, wrong and utterly removed from the future of the peoples of this island. Our attendance will condemn their action without question or hesitation.

I also admire the fortitude of the Gaelic Athletic Association. The chairman of the Ulster Council of the GAA issued a statement of direct and forthright condemnation. His statement was a lesson that an attack on a member of the association is an attack on the entire membership, which reaches into every town, city and parish in the country. Contact has been made with many GAA clubs in Northern Ireland in this regard. The House will have an opportunity to make statements on the murder of Constable Kerr when the Order of Business concludes.

The other matter raised by Deputy Martin is important in the context of the economy of the island of Ireland. I know from my experience as Minister for Tourism and Trade that the opportunities presented by the forthcoming visits of Queen Elizabeth and President Obama are immense. There are issues that have yet to be decided in the context of the visits. However, they should be seen as an investment for the future from a tourism and business perspective. I expect that the welcome accorded to both international visitors by the people of Ireland will be historic in significance and that they will be made feel welcome when they come to our shores.

The Deputy referred, not today but last week, to the International Fund for Ireland, which is an important consideration in respect of vulnerable communities on both sides of the divide in Northern Ireland. It is hoped this matter will be addressed by the US through its appropriations committee. It is an important element of leverage for further funding.

I look forward to working with the newly elected Members of the Assembly, following the casting of votes by the people of Northern Ireland in early May. We also look forward to following through on our work, through the Ceann Comhairle and new Speaker of the Assembly, in respect of the North-South parliamentary forum. It is hoped that the meeting of the North-South Ministers, which will take place early in the summer, will conclude the process outlined here. I agree that the Government and Assembly should work together on addressing issues relating to the island of Ireland and its economy. I am committed to working in harmony and co-operation with our colleagues in Northern Ireland in respect of all of these matters.

Deputy Gerry Adams: Aontaíonn Sinn Féin le achan focal a dúirt an Taoiseach faoi dúnmharú Ronan Kerr. Bhí muidne leis an teaghlach ag an áit deacair agus brónach ina saol. Bhí mé sa Tuaisceart Dé Domhnaigh agus inné ag obair le Martin McGuinness agus daoine eile sa Tionól. Táimid ag déanamh ár ndícheall chun a rá go soiléir nach ghlacann phobal nó muintir na hÉireann leis an dúnmharú seo.

I agree with every word the Taoiseach said in regard to the murder of Constable Ronan Kerr. I was in the North on Sunday and Monday and, in concert with the Deputy First Minister, Martin McGuinness and others in the Executive, spelled out clearly our views in regard to that dreadful action.

When I asked the Taoiseach two weeks ago to urgently raise with the British Government its unilateral decision to do away with the 50:50 — 50% Catholic and 50% Protestant — recruitment policy in respect of the PSNI, I did not contemplate the murder of this young man, whom I did not know but whose father and grandfather come from Andersonstown in West Belfast. His grandfather still lives there. Although I did not know Constable Kerr, I presume he joined the PSNI because of the changes, brought about collectively by us, in that service. A 50:50 recruitment policy is crucial. The British Government took a decision and did away with that policy although it had no right to do so. The Irish Government is an equal partner to the Good Friday Agreement. The Patten report is an essential part of that agreement.

[Deputy Gerry Adams.]

It is not clear from the Taoiseach's reply whether he made representations in this regard immediately after my having raised the matter with him in the House. If he did, the British Government ignored him. I do not say that to make any point other than that the current British Secretary of State for Northern Ireland has taken a number of solo runs with this international agreement and other agreements. It is difficult for any Irish Republican to have confidence in a British Secretary of State. I acknowledge that we, like the Irish Government, have developed working relationships with a series of secretaries of State. However, I have no confidence whatsoever in the current British Secretary of State for Northern Ireland, Mr. Owen Paterson.

The young man concerned joined the police service to, according to his mother, be part of the quest for equality for all. Mrs. Kerr also spoke of a neutral police service being necessary for our country. I beseech the Taoiseach — it is as important as that — to take up all of these matters with the British on an ongoing basis.

I ask the Leas-Cheann Comhairle to indulge me for a moment. I know Deputies will have an opportunity to discuss the murder of Ronan Kerr later. In dealing with those outworkings of the St. Andrews Agreement which have not been implemented and other issues — in this respect I welcome the commitment from the Government on cross-Border infrastructural and regeneration projects and, like the Taoiseach, I am lobbying on the International Fund for Ireland — it is inappropriate to lump together the three or four serious issues involved.

We will go toe to toe with the so-called dissidents. However, it does not help the case we are trying to make if the British Government is reneging on outstanding parts of the Agreement or breaking essential parts of it. I ask the Taoiseach, as a matter of grave urgency, to place this issue on the British Prime Minister's agenda and, with our friends in the USA and elsewhere, ensure that the peace process, the Good Friday Agreement and other agreements are implemented as they should be implemented.

The Taoiseach: Níl aon easaontas eadrainn faoi seo. Mar adúirt mé, aontaím go mór leis na Teachtaí a cháin dúnmharú Ronan Kerr. Bhí mé ag caint le Máirtín McGuinness agus leis an Céad Aire, Peter Robinson, inné agus labhair mé le Príomh Aire Cameron freisin. Phlé muid an cheist faoi ionadaíocht 50-50 an tseachtain seo caite. In parallel with that, the Minister for Foreign Affairs wrote to the Secretary of State indicating the Government's concern about this matter. The Secretary of State has, therefore, been made aware of the issue. I will also raise it with the British Prime Minister when we make arrangements for our meeting which I assume will take place at a reasonably early date. It is a matter of considerable importance.

While I do not know the answer to the question, it may well be that the person or persons who crept up on Mr. Kerr's car and placed a bomb under its foot well are Catholics. If the attack was in the realm of dissident republicanism, it is not to anyone's benefit to take away the life of an innocent young man who is merely doing his job and duty as part of a process that the vast majority of people on this island voted for and want to see implemented in order that they can live their lives in peace and harmony and get on with raising their families. While I cannot speak with the strength and power of Mrs. Kerr when she stated that her son's murder should not deter young Catholics from wanting to join the PSNI and participate in and contribute to the well-being and livelihood of the people of Northern Ireland, I support her 100%.

I give a commitment to follow through on the letter from the Minister for Foreign Affairs to the Secretary of State and I will raise the matter with Prime Minister Cameron when I see him. We will also apprise interested colleagues in the United States of all these matters.

Deputy Micheál Martin: The previous Government will have communicated to the British Government at the relevant time its opposition to the ending of the 50-50 recruitment rule. Irrespective of whether it is within the parameters laid down, the decision to end the 50-50 policy is premature. The success of the Patten commission has been well documented in terms of the transformation of the police force.

Perhaps we should remove from our vocabulary, as I have already done, all references to “dissident republicans”. Dissident is an honourable word that was used during the Cold War to describe people who, in conscience, went against autocracy and dictatorships.

The term “dissident” has no place in the context of describing the people who committed that evil act this week and, indeed, other evil acts in the past two or three years. That part of our vocabulary should simply disappear because it seeks to give some degree of legitimacy to what these people are doing. I know that no Member of this House would attempt to do so in any shape or form. In my view it is a cowardly, criminal gang who did this. I am fully conscious of the use of language in the context of the island and the past conflict in the North, but it is time to move on now as regards how we describe these acts of terror. The latest such act has had an appalling impact on a young life and the lives of his family members. There is no room left for using language that is in any way equivocal.

3 o'clock

The Taoiseach correctly raised the matter of the International Fund for Ireland. It is interesting that the initiative to keep that fund going came from the Irish Government, and myself as Minister for Foreign Affairs at the time. There needs to be a genuine and substantive cross-party approach by parties in the North with the British and Irish Governments in dealing with communities that are hard to reach on both sides of the divide in Northern Ireland. Insufficient attention has been paid to investment or economic and social development in those communities. The matter is nonetheless urgent because it is a fundamental potential threat to the long-term success of the peace process. There have been plenty of political dividends from that process, including a radical change in politics. However, for many people in working class communities there remain frightening issues such as unemployment, a high school drop-out rate and poor health indices. The scale of statistics reflect such problems in those communities. I would fault the lack of a comprehensive approach from the Northern Ireland Executive and others concerned. That is why the retention of IFI funding is so important.

We also need to work with the European Union which has provided such funding in the past. The Taoiseach should see that his officials and those of the Department of Foreign Affairs are in discussion with the European Commission to ensure that EU funding is retained, as well as the American funding. Whatever other additional supports the Irish and British Governments can give are also needed to ensure that meaningful progress is made in dealing with young people in hard to reach communities. We all remember some of the commentary from some young people following the atrocities at Massereene Barracks in 2009. They were hardly four or five years old at the time of the Good Friday Agreement in 1998. It was difficult to comprehend some of the opinions that were articulated at that time, which were a cause of concern for many of us who witnessed those attacks. That centrally important issue therefore deserves to be brought to the top of the political agenda on this island, otherwise the sustainability of the peace process will be in difficulty in the medium term.

The Taoiseach: There can be no doubt but that, after many years of difficulty, trial, tribulation and hardship, having arrived at a position where a peace process is *in situ* and being implemented, there is always the danger that vulnerable communities will regress. Young people can tend to drift backwards because of unemployment, depression, alcoholism or suicide. That is why the IFI and EU funding, as well as funding from both Governments is absolutely critical for the development of such communities, as well as demonstrating to young

[The Taoiseach.]

people that there is a better way. The cause of peace can lead on to a better life for everyone concerned. That is why it is so important that those who work in such communities, on both sides, can demonstrate the effective value of that kind of expenditure in the interests of young people's livelihoods. I have met quite a number of them and I have been impressed by the range and scale of work in which they are involved. I also appreciate the difficulty they have in constantly reaching out for new ways to attract young people to honour the peace code. That is why there is no disagreement that the IFI fund is critical, as is the funding from Europe.

I am sure everyone here hopes, as I do, that what happened to Ronan Kerr can be viewed not as the beginning of something but as the end of it. We would all like to think this can never happen again. For what it is worth, it is important that this House expresses its utter condemnation of what happened, as it is also important for people to be able to express that condemnation by attendance at the funeral of young Ronan Kerr. As I said, I admire the courage and quiet strength of his mother, having lost her son yet speaking out for so many others of a young generation, and a generation to come, of the kind of Northern Ireland she would like to see.

Deputy Gerry Adams: Tá a fhios agam go mbeidh seans againn an dúnmharú seo a phlé agus díospóireacht a bheith againn níos moille. Tá a lán oibre le déanamh againn anois. One of the things we have to make very clear is that the Irish Government is in the driving seat of the peace process. It is the Government's project because it is the popular project, the citizen's project, and the Government must take the leadership role. So many little things can be done which would also help the people in this part of the island, even in terms of economic deprivation. It does not make sense that in a small island, with a small landmass and a small population, we should have two competing economies.

I commend, for example, the projects to which the Government has committed, such as the N2-A5 and the A8 infrastructural projects. This will help to generate employment and, as possible under the Good Friday Agreement, to ensure local labour clauses and apprenticeships to help people in the communities through which, North and South, those big projects are being developed. The Taoiseach might update us on other flagship projects such as the Ulster Canal — at least, it was described as a flagship project at the time it was launched. The Minister for Health, Social Services and Public Safety in the North recently pulled out of the Altnagelvin radiological unit for the north west. I welcome the commitment of the Minister for Health and Children, who, in an answer to Deputy Ó Caoláin, stated the Government remained committed to that project, which is another that helps everybody in the north west.

I understand many issues are pressing down on us all at present. However, given these outstanding elements of the St. Andrew's Agreement and the fact that the mechanisms are not in place, the Government should indicate, and be pleased to do so, the areas of co-operation and harmonisation it wants to see developed. On all of these cross-Border economic, social, health, environmental, energy and agricultural issues, there is no resistance from Unionism. I travelled to Belfast from this Chamber last week and met working class loyalists in the middle of a working class loyalist neighbourhood to talk about social and economic issues. They understand this Government and this island with regard to those issues. While they may not have moved away from their commitment to the Union, they have moved on these issues. This is why we need to move beyond condemnation to the real politics of peace making.

To conclude, there is a democratic and peaceful way to bring about Irish unity. It is there as part of an international agreement, the British Government has signed up to it, all of the parties in the Assembly in the North have signed up to it, and we need to make it a reality. In a very clear way, with the Government in the driving seat, we need to spell out all of that.

Deputy Richard Boyd Barrett: I add my voice and that of People Before Profit and the United Left Alliance in offering our condolences to the family of Ronan Kerr following this terrible tragedy. We join other speakers and parties in condemning absolutely this despicable act. There is simply no justification whatsoever for this kind of atrocity. As Deputy Martin said, these are not dissidents fulfilling some sort of authentic republican strategy. It is an utterly brutal, barbaric action that leads nowhere except back down a road which has failed in the past and which we do not want to go down again.

However, it is important to look at the deeper politics, as Deputy Adams said, to allow us to address this problem and the danger of things moving back in that direction. We all must acknowledge that there has been a worrying growth, albeit among a minority in the North, in the organisations associated with this kind of activity. We have to ask ourselves why that is happening and what we can do about it. The peace dividend was much talked about at the time of the Good Friday Agreement. Many people placed their hopes in the Agreement that there would be a dividend in terms of prosperity, improved quality of life, better living conditions — all that people hoped would come with it, not just peace but a social and economic dividend. Does the Taoiseach agree this has not been delivered and that, in such a situation, there is always a danger of alienated young people moving towards twisted, warped or misguided ideas which they think can somehow address it? We must look seriously at that. In that context, the economic austerity being imposed in the North as well as here and across the world, in the interests of protecting bankers and bondholders across Europe, is part of the problem and will fuel it. We have to resist an austerity which leads to that sort of alienation and which fails to deliver on the social and economic aspirations of ordinary people. We must also ask whether, despite best intentions, the political structures that were set up as a result of the Good Friday Agreement, which sought to bring about a political dispensation that could end conflict, may perhaps at some level have institutionalised communal identity in the political structure of Northern Ireland. The Agreement has corralled people into community identities instead of developing a politics that breaks us out of communal identity and where we begin to talk about the social and economic issues that unite people rather than the communal identities which divide them. That is something we must address in a serious way.

The Taoiseach: Deputy Adams raised several issues. In respect of the economy of Northern Ireland and of the island as a whole, when I was on that side of the House my party set up a cross-Border forum dealing with issues that impact on people North and South. Deputy McHugh, who is from Donegal, chaired a number of useful sessions concerned with identifying issues in the agri-economy, tourism economy, business sector, health sector, education sector and so on. At one of those sessions we had speakers from the UUP and the SDLP. With Sinn Féin and the DUP in government together in the Assembly, we did not want to tread on people's protocols in so far as that is concerned.

A number of issues were identified which clearly, from any political point of view, would be of interest and benefit to the infrastructure and the economies North and South. The Deputy mentioned some which have been under discussion for a long time. Were we not obliged to pay €3 billion to Anglo Irish Bank for the next ten years, it would be great to be able to tell the Deputy that the Government could now deal with the Ulster Canal or a number of other issues. Unfortunately, that is not the way it is at present. Consequently, from that perspective the Government will continue to commit itself to working diligently in the interests of the development of the economies North and South and, in consequence, of the entire island.

As for what Deputy Boyd Barrett can do, the United Left Alliance can vociferously and strongly voice its opinions that when they take away life like this, those who perpetrated this cowardly act have no place in a democratic island. While we all can have political differences

[The Taoiseach.]

and can argue on the politics of one's beliefs, to deliberately attempt to take away innocent lives is not part of the Irishness espoused by the Deputy or by me and I condemn it out of hand from that point of view. I agree with the Deputy on the twisted mentality of people who may think they are doing something for some warped belief that has been and will be rejected by every right-thinking person in this country. All Members should stand 100% behind Mrs. Kerr as the mother of a young man who chose his career to play his part in the development of his community and country. His life should not have been ended by someone who crept up in the dark to deliberately plant an explosive device under his car, thereby ending his career of contributing to his community.

Priority Questions

Programmes for Government

23. **Deputy Michael McGrath** asked the Minister for Communications; Energy and Natural Resources the role he will play in implementing NewEra; the timeframe envisaged for establishing the bodies outlined in NewEra; and the number of new jobs that will be created under this plan [6729/11]

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): The Government has set out clearly its intention to ensure that public enterprise plays a full role in Ireland's economic recovery. The new economic and recovery authority is the vehicle whereby it will manage the State's holdings of the key State companies undertaking investment in key priority areas. These include the energy networks, broadband, water and bioenergy. Under the NewERA plan, streamlined and restructured State companies will make significant strategic investments over the coming years in these key sectors of the economy. These commercially financed investment programmes, in the context of the new national development plan, will support economic activity and employment in the short term. They also will critically underpin investment in sustainable export-led jobs and growth by foreign direct investment companies and indigenous Irish enterprise.

I have been charged by the Taoiseach with responsibility for implementing the NewERA programme in consultation with all stakeholders. This includes bringing forward the necessary legislation to underpin the planned structured changes.

Additional information not given on floor of the House

I am working with the Minister, Deputy Rabbitte, the Minister for the Environment, Heritage and Local Government and all relevant Ministerial colleagues to deliver effectively and speedily on our ambition.

The NewERA plan includes the commitment to establish a new Irish water State company to lead much-needed investment in the water network. The Government also is committed to the creation of a smart grid company, which ultimately will have ownership and responsibility for the national energy networks. The programme for Government also envisages the merger of Bord na Móna and Coillte to create bioenergy Ireland with the aim of realising the full potential of Ireland's bioenergy resources. The NewERA plan also will oversee the delivery of next generation broadband in conjunction with the private sector and relevant State companies.

The timeframe for establishing and restructuring the entities will be ambitious, while recognising that there are complex financial, legal and other considerations to be addressed as part of the process.

Deputy Michael McGrath: I take this opportunity to congratulate the Minister of State, Deputy O'Dowd, on his appointment and to thank him for his reply. What level of funding does the Minister of State anticipate will be required to fund the NewERA project? Different figures were articulated prior to and during the election campaign, ranging from €7 billion to €18 billion, but the only reference in the programme for Government is to the expectation of raising approximately €2 billion from the sale of non-strategic State assets. How many jobs does the Minister of State expect will be created, as figures of more than 100,000 jobs were being earmarked for the NewERA project? When does he expect Members to have sight of the nuts and bolts or the establishment of the NewERA authority?

Deputy Fergus O'Dowd: When we entered into government, the cupboard was almost bare thanks to the financial mismanagement of Fianna Fáil and previous Governments. There is less money than we expected, but the country must effect changes in its policies, particularly its investment policy. If the Government cannot borrow, State companies can use their initiative to create jobs.

NewERA contains a commitment to establish a new State water company to lend much needed investment to our water networks. We are also committed to the creation of a smart grid company that will have ownership and responsibility for natural energy networks. The programme for Government envisages the merger of Bord na Móna and Coillte to create BioEnergy Ireland with the aim of realising the full potential of Ireland's bioenergy resources.

The NewERA plan is to create new jobs by lending off the Government balance sheet. We will not have 1,000 young people emigrating every week as was the case under the Deputy's Government. The disgraceful way in which the economy was run down by his party in government is clear to us now and we are committed to creating as many jobs as possible under the NewERA programme, which we will implement as quickly as possible.

Deputy Michael McGrath: The questions were simple. In fairness to Fine Gael, it had no problem with going into specifics during the election. It quoted a particular figure for the number of jobs that would be created and the amount of money that would be invested. How much will NewERA cost, how much does the Government expect to invest and how many jobs will be created?

Deputy Fergus O'Dowd: The answer to the last question is clear — as many and as quickly as we possibly can. I am charged with dealing with the Ministries involved — the Departments of Finance and the Environment, Heritage and Local Government — and the Office of the Attorney General. Under a different heading in the NewERA policy, we will address the issue of a national water authority tomorrow. As quickly and effectively as possible, we will introduce programmes and policies to address necessary changes.

Deputy Michael McGrath: How much funding?

Deputy Fergus O'Dowd: I will not quantify that, but I will give the House an absolute commitment to report to the Oireachtas regularly on my progress in respect of the significant changes we must make in how we run our country. In particular, State and semi-State companies rather than the State will invest in the creation of jobs.

Deputy Michael McGrath: Is there an expected level of investment? Is it €2 billion?

Deputy Fergus O'Dowd: I will be able to give the Deputy those facts as soon as I can. I will give 100% in ensuring a significant reduction in unemployment levels and in the shameful number of young people who must leave this country because they had no future under the former Government. We will bring them light and jobs.

Deputy Michael McGrath: People want details.

Prospecting Licences

24. **Deputy Martin Ferris** asked the Minister for Communications; Energy and Natural Resources when the promised review of the licensing and revenue terms governing oil and gas exploration will take place [6903/11]

25. **Deputy Richard Boyd Barrett** asked the Minister for Communications; Energy and Natural Resources his plans to review the system of licensing for oil and gas exploration, development and production on Irish territory and waters, with a view to ensuring greater benefits for the Irish State; and if he will make a statement on the matter. [6732/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 24 and 25 together.

While Ireland has recognised potential as a petroleum producing area, the Irish offshore is relatively underexplored. As a result, Ireland's petroleum potential is largely unproven. This is likely to continue to be the case until there is an increase in the level of Irish offshore exploration, exploration drilling in particular. Ireland competes with other countries in Europe and much farther afield to attract mobile international exploration investment. To this end, it is important that Ireland maintains a licensing regime that appropriately reflects the risks and rewards of investing in petroleum exploration in the Irish offshore relative to investing in exploration in other jurisdictions.

Regarding periodic publicity about Ireland's oil and gas resources, recent assessments of yet-to-find potential based on petroleum systems studies indicate a total reserve potential in the order of 10 billion barrels of oil equivalent for the offshore frontier basins west of Ireland. This divides approximately into 6.5 billion barrels of oil and 20 trillion cubic feet of gas. It should be understood that these figures only represent potential reserves, namely, the reserves that might be present based on geological criteria and regional comparisons, and that they have not been discovered. Actual reserve figures are likely to vary widely from these estimates and will not be known without a dramatic increase in the level of exploration activity.

A comprehensive review of Ireland's fiscal terms was carried out in 2007. This review, which was underpinned by independent economic analysis, considered the appropriateness of Ireland's licensing terms in comparison with other European countries with which Ireland competes for exploration investment. The review concluded that there might be potential to capture a higher share for the State on more profitable finds, but that the potential for this should not be overestimated. The outcome of the review was the introduction of a supplementary tax, known as a profit resource rent tax, of between 5% and 15% that will apply in the case of more profitable fields. The supplementary tax would be payable in addition to the standard petroleum corporate tax of 25%, which is double the standard corporation tax rate of 12.5%.

Since the review concluded in 2007, there has been no significant change in terms of the level of exploration activity and no new commercial discoveries have been made. The level of exploration activity will continue to be the critical factor in Ireland obtaining a benefit from our indigenous oil and gas resources. We need to get drilling levels above the recent levels of one or two wells per year if more commercial discoveries are to be made.

As part of an ongoing strategy to attract new companies and new investment, my Department is running a licensing round that is deliberately structured to attract new exploration companies. This licensing round, which closes at the end of May, also aims to encourage companies to look at areas of the Irish offshore where few data currently exist and, as a consequence, little is known of their potential prospectivity.

While I will keep the licensing terms, both fiscal and non-fiscal, under review in light of relevant future developments, at this juncture the focus should be on attracting a larger share of mobile international exploration investment to Ireland to increase the chances of new commercial discoveries being made.

Deputy Martin Ferris: It is ironic that we are discussing Corrib at a time when it is in the news again for the wrong reason, namely, allegations about an audiotape of gardaí in the back of a car talking about the use of rape against two protestors. Equally disturbing if the contents of the audiotape are true, some of the commentary was derogatory towards protestors but favourable towards oil companies.

In the context of a review, will the Minister argue that the State should reinstate the type of fiscal regime put in place by the late Labour energy Minister, Justin Keating, in the 1970s? Under it, the State had holdings of 50% and between 6% and 7% in royalties. The Minister will probably remember how the stake was lowered by Dick Spring, but it was subsequently devastated by Ray Burke, who abandoned the State's share altogether. Does the Minister agree that, at a time when we are loaded down with an unpayable bank debt, the State should reinstate the sort of regime that Justin Keating put in place to ensure our people benefit from Corrib and other reserves when they come on stream? What is required is something that was advocated in the mid-1970s by one of the Minister's former parties, namely, Sinn Féin The Workers' Party. He might be able to correct me on the date. That party supported the objective of a resources protection campaign, something that was supported by members of the Labour Party.

In 1995, a group stated that a large area of the nation's offshore rights had been conceded for a pittance. Does the Minister agree that what was done at that point and in subsequent negotiations with oil companies has done significant damage to the potential resources off our north-west and west coast?

I have personal experience of working on the rigs on the Porcupine Bank. In 1978 and 1981 there were finds and the depth was approximately 1,600 ft., so they were not seen as commercially viable. The geology reports from the time indicated the finds could be substantial but because of the depth of water, the technology was not available at the time to access the resources and bring them ashore.

Deputy Pat Rabbitte: I do not have any knowledge of reported stories concerning the protests at the Corrib field but I agree with the Deputy that the allegations are unedifying. With regard to the tax regime as applying to offshore prospecting, it is true that a different regime existed up to 1987, when it was changed. The change occurred because the expectations from the early 1970s were, unfortunately, not borne out then or since. Our strike rate is especially disappointing. Therefore, I fully endorse the current policy of trying to generate more activity in exploration.

Deputy Ferris would acknowledge that 25% or 55% of nothing is still nothing. If we do not bring about finds, the issue is entirely theoretical. Deputy Ferris advances the information that when he worked on the rigs, there were potential finds but the water was too deep for technology to exploit the resources at the time. Over the years the strike rate has been poor, although few holes have been drilled. We are trying to increase the rate of exploration activity.

Acting Chairman (Deputy Michael McCarthy): Deputy Boyd Barrett's name is attached to the other question and as there are just over two minutes remaining in the slot, I call Deputy Richard Boyd Barrett.

Deputy Richard Boyd Barrett: The petroleum affairs division, as mentioned by the Minister, estimates that 10 billion barrels of gas or oil equivalent are out there. We should be clear what is at stake. If that is anywhere even close to the mark, at current oil prices that would amount to €900 billion of gas and oil just off the west coast. One can consider that we have just borrowed €100 billion to bail out toxic banks and NAMA in a deal that will enslave this country to austerity, cutbacks and an unsustainable debt burden. Would it not be better to instead invest in developing resources and establishing a regime where we can get a reasonable benefit from the development and exploitation of those resources?

Is it a fact that we have one of the most pathetic arrangements for licensing, as we will get next to nothing? We have an arrangement where no royalties will accrue to this State from the development by multinational companies of our gas and oil resources. For all the bending over backwards we have done to facilitate Shell in its activities in Mayo etc., there is no security of supply. It does not have to supply to us if it does not want to.

Why do we not act like the Norwegians? That country has a 78% tax on profits made on oil resources in its territory and it owns 67% of Statoil, the national oil and petroleum company. The state jointly participates with multinational oil companies in the development and exploitation of those resources. It is shocking that the people of Norway will benefit more from the development of our gas and oil resources off the west coast of Ireland than we will. Should we not do something about it urgently? There are now reports of significant finds in Dublin Bay in the hands of more private companies but why are we giving away gas and oil resources rather than developing and exploiting them ourselves?

Deputy Pat Rabbitte: Deputy Boyd Barrett only listened to half of the sentence. I stated that according to seismic data and available information, there is a "guesstimate" of 10 billion barrels out there. The problem is we have not found any of it. If Deputy Boyd Barrett can help us and point us in the right direction——

Deputy Richard Boyd Barrett: Shell has found some.

Deputy Pat Rabbitte: ——I will join with him in reviewing the terms. We have not made the finds and in comparison to Norway, the strike rate in that country is beyond our wildest dreams. If a hole is drilled unsuccessfully in Norway, the state pays 70% of the cost, and if we were to do so here our financial position would be worse. What Deputy Boyd Barrett is not minded to accept is that what we are talking about is a potential reserve but we have not yet been able to find it. We are now engaged in a new licensing round calculated to bring in more companies with an exploration interest into this area of our offshore.

Broadcasting Services

26. **Deputy Michael McGrath** asked the Minister for Communications; Energy and Natural Resources if he will provide further details on the commitment in the Programme for Government to review the funding of public and independent broadcasters; and if he will make a statement on the matter. [6731/11]

Deputy Pat Rabbitte: The commitment in the programme for Government referred to in the question is in recognition of the pressures that the funding of both public service and commercial broadcasters has faced in recent years as a result of the serious decline in commercial

revenues. Whereas this decline is primarily as a result of the impact of the recession over the past three years, revenues have also been impacted through the increasing fragmentation of the broadcast market as a result of the increasing number of channels available on satellite and cable, and through online and other developing platforms.

Funding of the public service broadcasters RTE and TG4 is met through a mix of licence fee revenues, Exchequer grant-in-aid and commercial revenues obtained largely from advertising. The public funding element is provided for the purpose of allowing these bodies to meet their respective public service broadcasting objects. These objects are set out in part 7 of the Broadcasting Act 2009, and they impose a wide range of public service obligations on each of these broadcasters. I am aware that the funding of the public service broadcasters has been subject to criticism by private sector broadcasters and, in particular, that there has been criticism of the dual public and commercial funding model as applied to RTE. The funding of privately owned independent broadcasters is, of course, derived from their own commercial activities.

Both public and independent broadcasters can also access funding from the broadcasting funding scheme, the purpose of which is to encourage the inclusion of additional programming of a particular character in broadcasters' programme schedules. The fund is open to independent producers and all free-to-air broadcasters.

The broadcasting funding scheme is funded by way of a payment of 7% of net licence fee receipts.

Additional information not given on the floor of the House.

This is paid to the Broadcasting Authority of Ireland (BAI) in respect of this scheme. This amount was increased from 5% to 7% under the Broadcasting Act 2009. On the proposed review of funding, the Broadcasting Act 2009, which was enacted on 12 July 2009, provides mechanisms that may be used to facilitate this process.

Section 124(8) of the Act requires the BAI, within three years of enactment of the Act, to review the adequacy or otherwise of public funding to enable public service broadcasters to meet their public service objects. In addition, section 158(1) requires the BAI to review the operation, effectiveness and impact of the broadcasting funding scheme not later than three years after enactment. I understand that the BAI expects to complete both of these reviews before the end of 2011 and I look forward to receiving both reports from the BAI in due course.

It is my intention that the findings of these two reports from the BAI will be used to inform the review referred to in the programme for Government, which I can confirm will be carried out by my Department. This review, which will focus on the scope of funding of public service content provided by all broadcasters, public and private, will be undertaken in tandem with the review of the licence fee funding mechanism, which is also committed to in the programme for Government.

In conclusion, I accept that the broadcasting sector, in common with other sectors, is facing very challenging economic circumstances. In addition, change in the way content can be transmitted is adding to the challenging environment. Apart from the reviews referred to, I look forward to working with all of the sector to ensure that broadcasting can continue to play its important and distinctive role in Irish society and maintain quality standards in the process.

Deputy Michael McGrath: I thank the Minister for his response concerning what we all agree is an important area. I welcome the review to be initiated. Will the Minister elaborate on when he hopes to undertake the review, who will undertake it and its anticipated terms of reference? I am sure he is aware of reports today that the independent broadcasters of Ireland are asking the Government that the planned new broadcasting charge which is expected to replace the

[Deputy Michael McGrath.]

licence fee should also fund independent radio stations. Will that issue fall within the remit of the review? The replacement of the television licence fee by a public broadcasting charge is a separate matter within the programme for Government. If the charge is to be used to extend funding to independent broadcasting entities will the Minister also consider extending public service obligations to such commercial broadcasters?

Deputy Pat Rabbitte: The rest of my prepared answer sought to deal with the Deputy's question. Section 124 of the Broadcasting Act requires the Broadcasting Authority of Ireland, within three years of its enactment, namely, by the end of this year, to review the adequacy or otherwise of public funding to enable public service broadcasters to meet their public service objectives. In addition, section 158 requires the BAI to review the operation's effectiveness and the impact of the broadcasting funding scheme.

I understand the BAI intends to have those reports with me by the end of this year and it is my intention that the findings will be used to inform the review referred to in the programme for Government, which I confirm will be carried out by my Department.

I welcome contributions such as the Deputy made to the debate from wheresoever they may come. We live in changing times. A review is taking place separately within the Department of the efficacy of the licence collection system, with an attempt to measure the extent of evasion and gather understanding of the new platforms used in particular by young people who do not necessarily access television by means of a television screen. In that sense, one can see the notion of a universal household charge might be worth considering in the not so distant future. I have an open mind on this and the issue will be included in the review.

Deputy Luke 'Ming' Flanagan: May I speak?

Acting Chairman (Deputy Michael McCarthy): No. The rules do not allow it. For Priority Questions only the Deputy named on a question may speak.

Afforestation Programme

27. **Deputy Martin Ferris** asked the Minister for Communications; Energy and Natural Resources the position regarding the proposed creation of a new energy company through the merger of Coillte and Bord na Móna; and if he will make a statement on the matter. [6904/11]

Deputy Fergus O'Dowd: In the context of the NewERA plan the Government commits to an ambitious strategy of accelerating the development of Ireland's forestry and bioenergy resources. Key to the realisation of this strategy is the plan to create a new State company, to be called BioEnergy Ireland, which will entail the merger of Bord na Móna and Coillte.

The Government envisages that the new company will become a global leader in the commercialisation of next-generation bioenergy technologies. In addition, it will oversee delivery of an annual 14,700 hectare afforestation programme. I will work with the Minister, Deputy Rabbitte, with the Minister for Agriculture, Marine and Food, and all relevant Ministers to develop a national bioenergy strategy as well as a comprehensive business case to underpin the merger of Bord na Móna and Coillte.

The systematic development of Ireland's abundant bioenergy resources will contribute to national security of energy supply and our renewable energy targets. Critically, it will support rural development by providing new markets and employment development opportunities for the agriculture, farming and forestry sectors.

Deputy Martin Ferris: The McCarthy report was released — or leaked — in part at Christmas and given to the previous Government. Concerning some of the proposals relating to Coillte and Bord na Móna there was a report in the *Sunday Business Post* of December 12 that one option in respect of State assets and liabilities considered at the time was a merger of Coillte and Bord na Móna. Does this Government's policy proceed from the McCarthy report?

My understanding is that at that time some of the labour negotiators met Professor McCarthy in regard to the sale of €2 billion of State assets. What will happen the land currently owned by Coillte? Many people were very concerned some months ago when it appeared that an international forestry group was interested in purchasing it — a group, incidentally, chaired by a previous Taoiseach, Bertie Ahern. People were concerned regarding the actual land under forest. What is to happen Coillte lands with regard to the merger?

Deputy Fergus O'Dowd: The key point is that what is being discussed is the setting up of a State company, not a private company, and one which will remain in State ownership. To put it a different way, in medieval times if one were going through the forests of Nottingham, the Sheriff of Nottingham's writ would have run there and the Robin Hoods of the day would have prevented him doing whatever he wanted to do. In this modern State these are the people's forests and will so remain.

I acknowledge the 150 different recreational and special amenity areas that Coillte hold and maintain throughout the country which provide fantastic public amenities for anybody and everybody. These will continue, absolutely. However, we need new synergies between the two State companies and our plan will bring this about.

The key point is that this will create new jobs, particularly in rural areas where at present there is no opportunity for employment, as all of us know.

Deputy Martin Ferris: Perhaps I misunderstood and did not explain my point. When the forestry owned by Coillte has been harvested what does the Minister of State intend to do with that land?

Deputy Fergus O'Dowd: It will remain in State ownership. Does the Deputy require references?

Deputy Martin Ferris: The land will remain in State ownership. Will it be replanted?

Deputy Fergus O'Dowd: The problem at present is that by virtue of a European directive Coillte is prevented from benefiting from grants such as those farmers receive for reforestation and, therefore, there is an issue which must be tackled. I believe Coillte has not planted a tree since 1995 for that reason — perhaps I may be corrected by a Member with greater knowledge. We need new synergies to plant more trees. We need more jobs and we need to reduce our carbon footprint. One of the key points about forestry is that it is a carbon sink and will help us reduce our CO₂ emissions, strengthen our competitiveness and will create more jobs locally. That is our plan.

Deputy Martin Ferris: If the land is not to be replanted what does the Minister of State intend to do with it?

Deputy Fergus O'Dowd: At present Coillte cannot plant it because it cannot benefit——

Deputy Martin Ferris: What will happen when the forests are harvested?

Deputy Fergus O'Dowd: The idea is that the new company will have a new synergy and a new way of looking at this issue which is not the case at present. The only way we believe we can make it happen——

Deputy Martin Ferris: The lands will not be sold.

Deputy Fergus O'Dowd: ——is by the new company creating new jobs and new synergies. One cannot exclude the possibility that people might wish to co-invest with the State company.

Other Questions

Programmes for Government

28. **Deputy Barry Cowen** asked the Minister for Communications; Energy and Natural Resources if the conditions to be agreed with the International Monetary Fund in order to allocate funding for NewEra, as stated in the Fine Gael election manifesto, have been agreed and if not, when this will happen [5791/11]

30. **Deputy Niall Collins** asked the Minister for Communications; Energy and Natural Resources the number of jobs that will be created by NewEra and the interaction he will have with other Departments in its implementation [5789/11]

40. **Deputy Niall Collins** asked the Minister for Communications; Energy and Natural Resources the amount that will be invested under the NewEra plan; and the proportion that will be provided by the National Pension Reserve Fund [5790/11]

241. **Deputy Dara Calleary** asked the Minister for Communications; Energy and Natural Resources the role he will play in developing NewEra; and when this process will begin [5788/11]

Deputy Pat Rabbitte: I propose to take Questions Nos. 28, 30, 40 and 241 together.

Under the NewERA plan, the Government intends that the State companies concerned will make significant investments in key priority areas including energy networks, bioenergy, broadband, water and forestry. These investments will be commercially financed and will be off the Government balance sheet. The investments will also be set in the context of a new national development plan to be drawn up by the Government for the period 2012-2019.

I will consult the Ministers for Finance and Expenditure and Public Reform as the NewERA plan is developed to ensure compliance with the IMF-EU economic adjustment programme for Ireland. The potential for participation by the National Pension Reserve Fund commission in the NewERA infrastructure investment programmes will be pursued with the Minister for Finance and the NPRF commission. The range of existing and planned investment programmes under the NewERA plan will contribute to maintaining jobs and economic recovery in the short term. The NewERA plan will also underpin jobs and growth in the longer term by creating the necessary infrastructure to support enterprise investment.

As the Minister responsible for the NewERA plan I am working with the Ministers for Finance and Environment, Community and Local Government and all relevant ministerial colleagues to ensure collective delivery.

Deputy Michael McGrath: What is the next step in the process? The Minister of State outlined the investment programme being funded under NewERA, which will absorb money from

the National Pensions Reserve Fund and, according to the programme for Government, it is also proposed to finance the investment programme from the sale of certain State assets. Up to €2 billion is targeted through such sales. The programme also states, however, that assets will only be sold when market conditions are right and when adequate regulatory structures have been established to protect consumer interests. We do not know when those conditions will be right for any such sales. In the short term, will the initial investments be funded through the National Pensions Reserve Fund and has the Minister identified how much money will be available after the bank recapitalisation for investment through that channel?

Deputy Fergus O'Dowd: I said in my reply that investments would be set in the context of the new national development plan, which will be for the period 2012 to 2019. While everything must be done it must be done at the right time. The Deputy is right; there can be no fire-sale of assets and that is made clear in the programme for Government. Another report by Mr. Colm McCarthy is yet to be published and there are issues in that surrounding the sale of some assets that I hope will bring in €2 billion. Those assets will be non-essential and will not form part of our critical infrastructure.

Deputy Michael McGrath: Is the establishment of the NewERA authority the first step envisaged in the whole project?

Deputy Fergus O'Dowd: The NewERA entity will be established through legislation, which takes time. It is important that we get this right and consult with our colleagues in Government, the Civil Service and the State and semi-State bodies. It is vital to our national recovery that we take the time to get this right and put the investments in place, taking time to sell those non-essential State assets at a time when we will get the greatest benefit from them. The drive and energy will initially be directed towards water infrastructure and broadband. As we move through the programme, it is hoped we will create the thousands of jobs needed. The key is to do this right and ensure the legislation is signed off so we can move forward together. If we do not do that, it will not lead to job creation that is needed.

Deputy Denis Naughten: On the interaction with other Departments, have there been any discussion with the Department of Transport, Tourism and Sport on access to public amenities like Coillte forests, such as at Lough Key in Boyle, or the cut away bogs owned by Bord na Móna? As part of the NewERA project there is public concern that existing access to State-run forests owned by Coillte and to cut away bogs may be threatened.

Deputy Fergus O'Dowd: At present Coillte is under the control of the Department of Agriculture, Fisheries and Food and the Minister in that Department, Deputy Simon Coveney, could answer that question properly. I can state with clarity, however, that there is no question of not having access to existing and potential recreational amenities of the country. This is not to do anything other than to protect what we have, particularly our amenities. Those are what drive the tourism agenda, recreational amenities, fisheries and other attractions, which will never be changed but we must create jobs. That is our priority. By identifying and keeping those areas as part of our plan, it will grow the jobs that we so urgently need.

Deputy Michael Colreavy: On a number of occasions, the Minister of State used the word "essential" about State assets but no one has defined what is essential and what is not. Will it be possible to advise the House on what is essential and what is not?

NewERA will allow enormous scope for a new form of community cooperative to engage with this programme. We must look at European legislation on the use of such cooperatives,

[Deputy Michael Colreavy.]

which might not face the same inhibitions as State companies. I ask the Minister of State to consider that as one way to move NewERA forward.

Deputy Fergus O'Dowd: I am happy to take on board the Deputy's suggestion. Perhaps after this we could discuss how to start that process and consult with the bodies that must be involved in it.

I am talking about the sale of non-strategic State assets. Those will be defined by Colm McCarthy and others in the report that will be produced in the very near future. I am sure we all have a view on that. The collective effort of all concerned, including all sides in this House, will make this work. It is the only way we can rescue the country from the awful place it is in now. I welcome and support any suggestions and will meet the bodies mentioned by Deputy Colreavy, as well as taking on board Deputy Naughten's comments.

Deputy Richard Boyd Barrett: Deputy Colreavy asked the question I wanted to ask: what exactly is a non-essential or non-strategic State asset? This must be defined. This group of 17 illustrious people, whoever they are, although I know they are all very wealthy, with significant business interests——

Deputy Fergus O'Dowd: The Deputy has a few bob himself.

Deputy Richard Boyd Barrett: ——is recommending the selling of ports and harbours. Are those non-strategic assets? I ask this question because a mantra has been repeated by Fine Gael representatives in the debate on how to deal with unemployment that the State does not create jobs. What then are Bord na Móna, ESB, the health service or the ports and harbours? They create useful employment. The State can and should create jobs. Perhaps the Minister of State can give us an idea of what a non-essential or non-strategic State asset is because I am worried any of these things could be considered non-strategic.

Deputy Fergus O'Dowd: As an example, if wood grows on a piece of land, it can be sold but the strategic asset of the land is held on to. I hope the Deputy can accept that.

Deputy Richard Boyd Barrett: Did the Minister of State get that from the Minister?

Deputy Pat Rabbitte: We are working together.

Deputy Michael Colreavy: Ministers could be defined as non-essential assets.

Electricity Generation

29. **Deputy David Stanton** asked the Minister for Communications; Energy and Natural Resources further to Parliamentary Question Nos. 53 and 61 of 30 November 2010, the number of customers currently on the ESB micro-generation tariff; and if he will make a statement on the matter. [6636/11]

34. **Deputy David Stanton** asked the Minister for Communications; Energy and Natural Resources the initiatives in place or due to be put in place by him to encourage micro-generation; and if he will make a statement on the matter. [6367/11]

Deputy Pat Rabbitte: I propose to take Questions Nos. 29 and 34 together.

I am informed there are 364 customers on the ESB microgeneration tariff to date, representing a total connected generation capacity of just in excess of 2 MW. The technologies being deployed are wind turbines, solar installations and small-scale hydro turbines. ESB Net-

works is currently processing 18 customer applications and these are at different stages of completion. ESB Networks agreed in 2009 to provide the necessary import and export metering free of charge to the first 4,000 domestic microgeneration customers. ESB Networks also provides a support payment of ten cent per kilowatt hour for those eligible customers for the first 3,000 kW hours exported back to the grid annually for a period of five years.

The take-up has been disappointingly low despite an overall tariff rate of 19 cent per kilowatt hour being available. This compares to the wholesale electricity price, which is currently averaging approximately seven cent per kilowatt hour. Currently, ESB Customer Supply, now rebranded ESB Electric Ireland, is the only electricity supplier in the market offering microgeneration tariffs to domestic customers who generate up to 11 kW.

The Sustainable Energy Authority of Ireland, SEAI, is currently completing an 18 month microgeneration pilot scheme and is monitoring the performance of the 42 installations involved. Those participating in the pilot have been able to avail of the tariffs offered. The findings from the pilot will provide valuable data with regard to microgeneration and which will inform policy decisions on how best to stimulate the sector. In line with the programme for Government commitment, I have asked my Department and the SEAI to finalise their cost-benefit analysis work on a feed in tariff programme for microgeneration. Any such programme must be fully cost effective and take into consideration the overall cost implications for all electricity consumers.

4 o'clock

Deputy David Stanton: I thank the Minister for his response. When does the Minister expect the SEAI study to be completed? Is the ESB carrying out a review of this as well? Has the Department identified any barriers or why, as the Minister stated, there is such a low uptake in a scheme which could have great potential? For example, has anyone considered the fact that VAT can be reclaimed on diesel generators but not on wind generators? Would this assist if it were put into practice? Is there any reason it should not be allowed? Is it not an anomaly that someone can reclaim VAT if he or she generates electricity on a farm using a diesel generator but not if he or she uses a wind generator?

Deputy Pat Rabbitte: I suspect Deputy Stanton knows more about the detail of this than I do and I am struggling to understand the barriers and obstacles to which he refers. For example, I am aware that the single electricity market price paid for electricity is approximately €60 per megawatt hour. The ESB pays microgenerators approximately three times this amount, that is, €190. Obviously, this is a barrier from the point of view of the State in the sense that if a subsidy is required — this signals that it is required — it is a significant matter. I hope that I will have the conclusions of the SEAI report before the autumn. It is analysing various scenarios related to levels of feed in tariffs which would be required.

As the Deputy is aware, the REFIT, renewable energy feed in tariff, system operates for large-scale projects. It is funded by public service obligation on all consumers. We have made a commitment in the programme for Government to provide a REFIT system for microgenerators for the reasons Deputy Stanton has hinted. However, as the programme for Government states, “The tariff will not be significantly above single energy market price for electricity”. We must wait and see what the conclusions will be. Since the scheme announced has the capacity to accommodate 4,000 participants, the level of uptake is disappointing. Is it the case that the level of subsidy is inadequate? How much further can one go? The contribution of renewables is critical. If one were obliged to increase the subsidy, would it be the most economic way of feeding back into the grid? We must wait and see. I was surprised to learn that there have been only 364 applicants of the scheme as it stands.

Deputy David Stanton: What way is the scheme being marketed, sold or put out to people who might be customers? I have seen no marketing for it anywhere. Would the Minister examine this and consider a public awareness campaign such that people could know a little more about the scheme?

The Minister may not have this information but he might get it to me. Is it true there was a problem with generating at the 11kW level? I understand the SEAI was examining this earlier in the year. Perhaps the Minister will come back to me and inform me whether this issue has been resolved or whether there has been any further information issued from the SEAI.

Deputy Pat Rabbitte: The Deputy may well have a point about the effectiveness of the marketing of the initiative but one should be struck by the number of correspondents who communicate with the Department about it. It would appear that there is a wider level of interest than there is of uptake and I am unsure why this is the case. There is regular e-mail traffic to the Department from individuals seeking information on it. The ESB is the only supplier and no other supplier has chosen to enter the market. I suppose this is because of the cost of the supports involved. Nevertheless, only the ESB is in place and I suppose to some degree this constrains it. I will certainly examine the point raised by the Deputy and come back to him on it.

Departmental Expenditure

31. **Deputy Michael P. Kitt** asked the Minister for Communications; Energy and Natural Resources his budget and his priorities for 2011 [6650/11]

Deputy Pat Rabbitte: The budget in my Department is set out in the Revised Estimates for public services 2011. The total gross Vote provision is €475 million, comprising €336 million for current expenditure and €139 million for capital expenditure. Of the gross current provision, a sum of €222 million relates to the Vote neutral broadcasting licence fee receipts. This is money which passes through the Vote as a receipt with corresponding expenditure. When this is netted off the gross provision, the Department's 2011 budget is €253 million, made up of a €114 million current allocation and a €139 million capital allocation.

My Department's expenditure priorities in 2011 include the energy efficiency programmes amounting to €69.4 million — the bulk of expenditure in this area will be on the national energy efficiency retrofit programme; energy research programmes totalling €20.4 million, including progressing the ocean energy programme; and information and communications technology programmes totalling €43.8 million — most of this allocation is to fund broadband investment in cases of market failure.

As reflected in the allocations, the priorities in 2011 are the funding of public sector broadcasting, funding of energy efficiency and renewable energy technologies and investment in broadband in cases of market failure. The investment in energy efficiency will play an important role in promoting employment in the construction sector. Broadband intervention, especially through the national broadband scheme, is furthering the roll-out of broadband infrastructure, which plays a key role in underpinning economic and social development. In addition, my Department will provide some €34 million to fund TG4 and almost €29 million to fund inland fisheries in the current year.

Deputy Michael McGrath: I thank the Minister for his reply. He referred to expenditure of €69 million for the energy efficiency area. The home energy savings scheme has been one of the most successful grant schemes administered by the SEAI. Is it the Minister's intention to continue to fund that scheme? As he will be aware, there is provision in the Finance Act 2011

for some tax relief for persons who invest in energy efficiency measures in their homes but it is subject to a commencement order. Would he like to comment on that?

Deputy Pat Rabbitte: I agree with the Deputy. It is beyond dispute that the home efficiency home heating scheme has great merit. It ticks all the boxes in terms of energy efficiency and energy saving, making a contribution to meeting our carbon targets and, third but by no means least, job creation. Job application in that area is very significant at a time when there are so many unemployed workers in the construction sector. It is my intention to continue the scheme although I am in the process of examining the development of perhaps a wider scheme, which would encompass some of the existing schemes like the warmer homes scheme and so on, and rebranding it. All that is left for me to do now is to find the money. That is the hard bit. In terms of not only domestic dwellings but public buildings, there is a huge saving in the medium term for the State and considerable potential for job creation in this area. I hope when the Minister for Finance brings in his jobs budget that this area will be well represented in it.

I have not yet made up my mind or examined the issue raised by Deputy McGrath in terms of the tax relief provided in the last Finance Act in this area. My understanding is that it is a relief at the standard rate. This issue is similar to the debate with Deputy Stanton on microgeneration or, perhaps more pertinently, the argument in the pensions industry that if people were given a tax break at the marginal rate, there would be a very significant uptake. However, if the rate was changed to the standard rate, what would be the uptake and what would be the effect on the pensions industry and the people employed there?

Similarly in this respect, would domestic dwellers, for example, incur at this time the necessary spend for a 20% tax break or could that money be used more productively? That is the issue I have to examine. There is no doubt but that in terms of energy saving, import substitution, the jobs dimension of the scheme, and our 2020 targets and thereafter, this would make a significant contribution and there is a jobs dimension to it. Whether an estimate of the tax foregone might be better used elsewhere is something that I have not yet made up my mind about but the short answer to Deputy McGrath's question is that I agree it is a worthwhile scheme as it is operating and it is my definite intention to continue it.

Deputy Michael McGrath: I acknowledge the Minister's comments as to whether any tax relief in this area, as set out in the Finance Act, would provide a tangible incentive. The administration of the scheme has been quite efficient. As the Minister will be aware, people who apply online have an answer in a short number of days. It is easy to administer and it is easy for the home owner to avail of it. Whether the Minister would be better off configuring additional support into the direct grant scheme rather than in terms of tax relief is a matter which I agree could be reconsidered.

Deputy Pat Rabbitte: I agree with the Deputy that they are the issues that require to be crystallised because the scheme is a good one. We have not touched on the issue of fuel poverty, which, unfortunately, is a growing difficulty in that area. This scheme, which is separate from the scheme administered by the local authorities, makes a significant contribution.

In that regard, having welcomed the ESB's announcement yesterday, I was disappointed about an aspect of it. Deregulation in the marketplace finished yesterday and was accompanied by a statement from the ESB to make a not insignificant reduction in energy prices graded according to different categories but, unfortunately, people already in trouble were excluded from that. I am sure an element of that comprises customers who are recalcitrant in the sense of flitting from one company to another to evade their ESB or gas bills and I understand the ESB's response in respect of that small category. However, there are genuine people in difficulty as a result of fuel poverty, of having been disconnected and of their inability to pay their

[Deputy Pat Rabbitte.]

bills. I ask the ESB to re-examine whether it is not feasible to distinguish between those genuinely in need and those who simply are seeking to evade paying their normal tariff.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters

Acting Chairman (Deputy Michael McCarthy): 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 Michael Healy-Rae — the need to reconsider proposals regarding the school transport scheme; (2) Deputy Seán Kyne — the need to clear weeds from Lough Corrib; (3) Deputy Mattie McGrath — the need for the immediate procurement of a site to facilitate the proposed amalgamation of Cahir boys national school and Cahir girls national school; (4) Deputy Michael McCarthy — the issue of Kinsale College of Further Education, the college has an ongoing issue in securing autonomy as a stand-alone PLC centre, there had been a realistic expectation that the previous Minister for Education and Skills would be able to grant this on the basis that the school would obtain a roll number; however this seems to no longer to be the case and the need for the Minister to clarify the position; (5) Deputy Tom Fleming — when will the Minister open Castlemaine harbour salmon fishery which was reopened last year on a pilot basis and that the inland fishery furnish the scientific evidence results as soon as possible; (6) Deputy James Bannon — the need to provide funding in respect of a new school building for Curraghmore national school, County Westmeath; (7) Deputy Éamon Ó Cuív — an tábhacht a bhaineann le cead a thabhairt láithreach do Chomhairle Chontae na Gaillimhe dul ar aghaidh le scéim uisce réigiúnach Chasla go mór mhór i bhfianaise na faidhbe a d'éirigh le gairid le scéim uisce na Ceathrún Rua nuair a chuaigh ola isteach san uisce; (8) Deputy Martin Ferris — the failure of the ESB to pass on its decrease in prices to customers who are currently in arrears; (9) Deputy Joe Costello — the need for the Minister for Enterprise, Trade and Innovation to introduce legislation to abolish the Smithfield Horse Fair; and (10) Deputy Nicky McFadden — to raise the matter of the revision of VEC areas in the country with the Minister for Education and Skills and to highlight the need to ensure that the configuration of the Midland VEC will be Longford-Westmeath with the headquarters based in Mullingar, County Westmeath. The matters raised by Deputies Healy-Rae, Bannon, Kyne and Martin Ferris have been selected for discussion.

Leaders' Questions

Deputy Micheál Martin: I take the opportunity of Leaders' Questions to the Taoiseach today to raise the horrific murder of PSNI officer Ronan Kerr in Omagh at the weekend. We have our political differences but in terms of the rule of law and democracy I believe the Taoiseach and I are on the same side. I know that the Taoiseach and the Government share our and our party's abhorrence at the callous and shocking murder of police constable Ronan Kerr. In that context, will the Taoiseach agree that the perpetrators of such evil actions have no place in a civilised society and must be challenged and confronted at every opportunity?

In the aftermath of such an horrific murder it is important that a clear, united and unequivocal message be sent from this democratic Chamber that those responsible for this cowardly atrocity have no mandate and do not act in the name of the Irish people. The murder of Ronan Kerr is a direct assault on the peace process itself. No terrorist gang can be allowed to dictate to the Irish people or undermine our desire to live and share this island in harmony and friendship.

It is important that our national Parliament is seen to stand firmly and absolutely behind the peace process. It is for this reason that I ask if the Taoiseach would agree that it would be an

apt response from this House that we pass an all-party agreed motion to make clear our abhorrence of this murder in Omagh. There is a precedent in this regard because in March 2009, following the murder of PSNI constable Stephen Carroll and two British soldiers, the Dáil passed such a motion. The murder of PSNI constable Ronan Kerr is no different to, and is equally repulsive as those which took place in 2009. I request that the motion to which I refer be taken following statements. Fianna Fáil has tabled a motion but would withdraw it in favour of a joint motion agreed by the Whips.

The Taoiseach: I agree that a motion in respect of which there would be unanimous agreement should be taken following statements. This matter was already discussed in the context of the parliamentary questions I answered earlier. There will be an opportunity for Members to make their views known during the statements that will be taken following the Order of Business. There is no reason why we should not send out a strong, clear and unequivocal condemnation by way of a motion unanimously agreed by the House. As the Deputy indicated, this is not the first occasion on which we have been obliged to resort to taking such action.

I regret that Members are being asked to speak in a debate to which they would never have believed they would be obliged to contribute. It is important to bear in mind the psychology behind what happened. A meeting was held, a decision was made and an instruction was given to someone who took an oath to be a member of the cell, society or group responsible for what occurred at the weekend. That individual, perhaps in conjunction with others, was then sent to perpetrate this cowardly act and a young man's life ended as a result. It is a slur on the humanity of every person in this country that this should have happened. We condemn this act unreservedly. There is no one in the House who will not share that sentiment.

I agree with Deputy Martin that we should send out, by way of statement and agreed motion, a unanimous, unequivocal, strong and clear message that this kind of cowardice will not be tolerated and is condemned unreservedly by Dáil Éireann and by every Member elected thereto by the people.

Deputy Micheál Martin: I thank the Taoiseach and agree wholeheartedly with him. As stated during Question Time, the transformation of the police service in Northern Ireland is one of the outstanding legacies of the peace process. The changed relationship between An Garda Síochána and the PSNI has played a strong and central role in that transformation. Many gardaí who engage on a daily and weekly basis with their counterparts in the PSNI share people's horror and sadness with regard to what has occurred. The Minister for Justice and Equality articulated the position very well in that regard.

When one listens to certain commentators, it occasionally appears that there is some doubt with regard to the absolute and strong co-operation between — and the agenda shared by — the Garda Síochána and the PSNI in the context of tracking and apprehending the evil individuals who perpetrate crimes of this nature. Is the Taoiseach in a position to assure the House that the two forces will continue to work in a synergistic fashion to ensure that the peace and quality of life enjoyed by all citizens on this island will be protected?

The Taoiseach: I am in a position to provide such an assurance. As indicated on Question Time, I spoke to the First Minister, Mr. Peter Robinson MLA, and to the Deputy First Minister, Mr. Martin McGuinness, MLA. In addition, the Minister for Justice and Equality spoke to his counterpart in Northern Ireland, Mr. David Ford, MLA. I have also spoken to the British Prime Minister and pledged the Government's support for both the Northern Ireland Assembly and the British Government in the wake of this act of cowardice. I assure Deputy Martin that the level of co-operation between the Garda and the PSNI — both of which the Deputy and I support — is at an all-time high.

[The Taoiseach.]

I received a security briefing yesterday from the Garda Commissioner. From his time in Government, the Deputy would have experience of such briefings. The Tánaiste and Minister for Foreign Affairs and Trade and the Minister for Justice and Equality also attended the briefing to which I refer. We were provided with an assurance that there is active and intense co-operation between the Garda and the PSNI and that this will continue. The resources necessary to underpin this high level of co-operation will be provided.

It is clear from what we heard at the briefing that in the past, lives have been saved and dastardly acts have been prevented. It is most tragic that in this instance a young man lost his life. The Garda Commissioner has confirmed that the co-operation and involvement between Garda Síochána and the PSNI is what the Deputy, I and everyone else would expect it to be, namely, of the highest calibre possible. There is no difficulty with regard to the transmission of information, where relevant, between the Garda and the PSNI. I hope that the intensity of the relationship between the two forces will ensure that the perpetrators of this murder, whom ever they may be, will be brought to justice and punished accordingly.

Deputy Gerry Adams: Mar atá a fhios ag an Taoiseach, labhair muid faoi dhúnmharú Rónán Kerr níos luaithe agus dúirt mé go seasann Sinn Féin leis an Rialtas agus go bhfuilimid uilig le teaghlach Rónán Kerr ag an uair bhrónach dheacair seo. Bhí mé sa Tuaisceart Dé Domhnaigh agus inné ag obair le Máirtín Mac Aonghusa agus daoine eile agus táimid go han-soiléir go bhfuil pobal na tíre in éadan an dhúnmharaithe sin.

It is appropriate that the Government has allocated time for a debate on the murder of Ronan Kerr. We discussed this matter earlier on Question Time. It is of the utmost importance that we should continue to make it clear that we stand in opposition to this murder and that we stand with the Kerr family. During the statements that will follow the Order of Business, we will have the opportunity to spell out our views in detail and to chart a way forward.

I wish to ask the Taoiseach about the ongoing economic situation. In the recent general election campaign, he clearly stated that the current EU-IMF bailout deal is bad for Ireland and bad for Europe, that the financial markets are closed to Ireland principally because investors are concerned that any further capital injections into the banks will sink the economy and that the bailout plan would not restore confidence in Ireland because at its heart is a commitment to continue the failed banking policies of the Fianna Fáil-Green Party Government. The Taoiseach made these comments only a few short weeks ago. However, he has taken every opportunity — in this Chamber, at meetings at European level and at various summits — to state that he is committed to the EU-IMF deal.

I do not understand what kind of negotiating position this represents. It strikes me as ridiculous for the Taoiseach to continually give away his negotiating position. Many individuals have informed me that it is totally unacceptable that he is doing the exact opposite to that to which he committed only a few short weeks ago. The Irish people are being obliged to pay for that. Will the Taoiseach explain this departure and will he throw some light on the Government's negotiating stance, le do thoil?

The Taoiseach: Aontaím gur chóir go mbeadh cáineadh an-láidir curtha amach ón Teach seo i leith dhúnmharú Rónán Kerr. Mar a dúirt mé, bhí mé ag caint lena mháthair, Nuala, inné agus táim fíor-bhuíoch di as ucht na crógachta agus as ucht an mhisnigh a léirigh sí sa chaoi a labhair sí amach faoi dhúnmharú a mic. Tá súil agam nuair a bheidh mé thuas amárach, in éineacht leis an Chéad-Aire agus an Leas-Chéad Aire agus Teachtaí eile ón Teach seo, gur comhartha láidir a bheidh ann ag éirí as an díospóireacht a bheidh againn inniu agus a rún a rifear go hiomlán ar son gach Teachta sa Dáil seo.

It is not a case of changing our position. The actual position is that we have been dealing with six dysfunctional banks. We proceeded down a path of confusion and uncertainty for a long period and people became completely frustrated by the fact that the previous Government would not provide leadership or point the way towards a point where the country would be in charge of its economic destiny once again. That is why the Government last week made its decisions in respect of the banking sector. This brings clarity and certainty. We will now have two pillar banks which will be the bulwark of the future banking sector in Ireland. That is very clear and gives certainty. This is now recognised internationally and by independent commentators. The ECB, in its statement following the Government's decision about the banking sector, confirmed it will provide ongoing liquidity to the Irish banks, which is of extreme and fundamental importance for business and for confidence in Ireland.

We must rebuild our connections and contacts with our counterparts in Europe. The Tánaiste and all members of the Government will involve themselves in this important work. Our European colleagues understand how important it is, in a European sense, to show flexibility in the path Ireland must follow and will follow. The Deputy is aware that the EU/IMF mission starts today and will last until 15 April. Much of this will consist of technical discussion of the intricacies of the instruments. The Government will discuss elements of the programme for Government, such as the upcoming jobs initiative programme which will have an impact on the indigenous economy. It will stimulate investment and provide confidence so people who have been saving, because of their fear of future uncertainty, will have an opportunity to spend in the Irish economy to grow confidence and hope and provide jobs.

Deputy Gerry Adams: Níor thug an Taoiseach freagra ar na ceisteanna a chuir mé air. Seo na focail a dúirt sé. These are his words. I did not make them up. These are what people voted for. The Taoiseach talked about the five point plan. It strikes me that we are engaged in a five point U-turn. Here are other words people voted for:

Fine Gael in Government will force certain bondholders to share in the cost of recapitalising troubled financial institutions. This will be done unilaterally for most junior bondholders. It could be extended as part of a Europe-wide framework for senior debt, focusing on insolvent institutions like Anglo Irish Bank and Irish Nationwide that have no importance.

The Government gave €3 billion of the people's money to those two institutions. There needs to be some clarity so people can understand what the Government is doing and have confidence in it. The Taoiseach's party said not a red cent would be committed to the banks unless they imposed losses on their bondholders, yet last week the Government poured another €24 billion of the people's money into those banks. What price manifestos, election promises or election commitments? A very high price indeed, especially for people who are in economic distress at this time. The manifesto of the Labour Party, the other party in government, has been shredded. The Irish taxpayers are paying, not just for the Government's U-turns, but also for the private greed of bankers.

There is no sense of our coming out of this. I am, by nature, an optimist and I believe we can find a way out of our difficulty. This party has put forward suggestions for how to do that, but not by throwing good money after bad.

The Taoiseach: The Government's decision of last week brought about certainty and clarity regarding the Irish banking sector. This is very important for business. It has been received in that light by international commentators, the European Central Bank, the European Commission and the International Monetary Fund. It was about time someone made a decision in respect of the Irish banking sector.

[The Taoiseach.]

The Government looked at the positions of six dysfunctional banks and a country that could not borrow money on the international markets, whose banks could not borrow money and where every cent coming in was being provided from abroad. The Government's decisions give clarity and certainty to that. This has been followed by clarity from the ECB in respect of its ongoing commitment to liquidity in the Irish banking system, which is important in getting confidence back into our economy. Thursday's payments of €2.5 billion and €530 million from the Exchequer to Anglo Irish Bank and Irish Nationwide arise from the promissory note made by the previous Government. I have said on many occasions that there is no point in not telling the people what the facts of life are.

Deputy Micheál Martin: Except during an election campaign.

The Taoiseach: It is fact of life that for the next ten years these payments will have to be made.

Deputy Dara Calleary: Not a red cent.

The Taoiseach: When we opened the press this is what we found, or part of what we found.

Deputy Aengus Ó Snodaigh: Was Bertie Ahern not in the press?

The Taoiseach: Deputy Adams knows we could deal with the Ulster Canal and many other issues in the north west and elsewhere in the country if we did not have this imposition and burden, but that is a fact of life. The decisions made by the Government bring clarity and certainty to the banking sector. That is important.

The IMF/EU troika will be here until 15 April and they will involve themselves in technical discussions as to where the country is in respect of the programme agreed by the sovereign State of Ireland with the IMF and the EU. In opposition, we voted against this agreement on the basis of its interest rate being too high——

Deputy Michael McGrath: On the basis that Fine Gael was on the opposite side of the House at that time.

The Taoiseach: ——and because of other elements of the deal, notably the cost of the banking restructure. We did not pursue the issue of interest rate reduction until the bank stress tests were carried out. These have been robust and the most severe ever carried out. They speak for themselves.

Deputy Gerry Adams: The Taoiseach was not elected to do that.

The Taoiseach: That brings clarity to that position. With certainty in respect of the banking sector and ongoing liquidity, we move on from here to deal with our European counterparts in rebuilding the reputation and status of this country, which was allowed to slide, unfortunately, to a position where suspicions existed about Ireland and where many of the comments made by our politicians were not believed, for valid reasons in many cases.

Deputy Shane Ross: I agree with the Taoiseach on one point. Plenty of clarity and certainty has been introduced. The clarity and certainty is that the Government has utterly surrendered to the IMF and EU. They know that, we know that and everybody knows that. "Default" is, apparently, the word that cannot be mentioned in this Chamber.

Is the Taoiseach happy that the greatest cheerleaders for his policy and for the statements coming from his side of the House are Fianna Fáil? His support is coming from the previous Government. Very few people can see the difference, if there is any, between this Government and the previous one in their attitudes to the banks, despite all the those promises. That is the great disappointment for those of us who have been observing this for a long time.

The Taoiseach cannot paint the opposition to Government policies as something coming from the technical group and Sinn Féin. Does the Taoiseach read the Lex column in the *Financial Times*? It will tell him that people out in the market think Ireland is being governed by people who do not understand markets. Let me read four lines from the Lex column of last Saturday:

In the Irish case senior bondholders have been given a blank cheque by Irish taxpayers, the result of an Irish Government decision in late 2008. No other Government is likely to make that mistake.

Another Government has made that mistake. The Taoiseach's Government has done so, by wearing the clothes of the Government of Brian Cowen. Why do senior bondholders have to be treated in the same way as deposit holders? They are a completely different creature. Senior bondholders make a decision, take a risk and make an investment. Depositors take their money to a bank with no sophisticated investment techniques or knowledge and put their money in the bank to be safeguarded. There is an issue of trust against an issue of investment.

There is no sense of our coming out of this. I am, by nature, an optimist. I believe we can find our way out of difficulty. My party has put forward suggestions for how to do that. However, it will not be by Yet we are saying we rank them *pari passu* and they should never be stung. The logic of this is that the Irish taxpayer must pay for the senior bondholders. The article in Lex column, which is a market-led column, states that senior bondholders are the luckiest people in Europe and that they cannot believe their luck at the current Irish Government pursuing identical policies to those of the last Government in terms of insisting on paying them when no other Government in the world would do so.

The Taoiseach: A man of Deputy Ross's capabilities and intelligence will understand that the policies are not the same. The Government has not made a mistake; it has made a decision, namely, to reduce the number of dysfunctional banks and to create two pillar banks which will be the bulwark in terms of where we go from here. This differs from the position taken by the last Government. It is a decision which brings clarity and certainty to the Irish banking sector. It is a matter of fact that commentators must comment. The Lex column is not the sovereign Government of this country. Unfortunately, because of the constraints placed on the people of this country as a result of the IMF-EU deal, the options available to the new Government were limited. However, one must make decisions. The Government made a decision which will ensure clarity and certainty in the banking sector. In discussions with the European Central Bank, it provided certainty in respect of ongoing liquidity into the Irish banks. That is important. I accept it is not the end result in terms of where we want to be, which is, in a position to say goodbye to the IMF in terms of the deal and to return to the bond markets, thus regaining control of our economic destiny. Given the obstacles in our way, difficult decisions will have to be taken into the future. We must rebuild the nature of our relationship with many of our European counterparts and we are working to do so. The space now provided allows for this to happen.

Deputy Ross will be aware that there have been significant contributions from subordinated bondholders. The point was made at least week's press conference that there is a clear difference between senior bondholders in Anglo Irish Bank and Irish Nationwide Building Society

[The Taoiseach.]

and those in the pillar banks, namely, Allied Irish Banks and Bank of Ireland. The Government was clear in terms of its pronouncement in this regard.

Deputy Shane Ross: I thank the Taoiseach for his reply. I would have thought a man of the Taoiseach's intelligence and knowledge would be aware of the serious dangers of setting up two major banks of that sort. The Taoiseach and I am sure everyone else in the House will remember what happened when Allied Irish Banks and Bank of Ireland dominated the market in the past, namely, they ran a cartel or, at least, a duopoly which is the reason they have become the tyrants of the financial system here. By retreating into that position the Taoiseach is inviting them to regain the type of territorial strength they had in the past, thus being in a position once again to crucify the consumer in order to gain increased bank profits. Is the Taoiseach happy with that?

Deputy Olivia Mitchell: Should we keep another bank going?

Deputy Bernard J. Durkan: The consumer is being well crucified now.

The Taoiseach: The Government, as part of its programme for Government, will move on to the issues that need to be addressed in respect of governance of the Irish banking sector. Clearly, changes are needed. I am sure Deputy Ross is aware that foreign-owned banks located here will provide competition and certainty within the sector. Deputy Ross may also be aware that many international commentators are now looking with some degree of confidence at the decisions made by the Government in terms of bringing clarity and certainty to the banking sector. That is important. We are no longer proceeding on a path of confusion.

Deputy Ross will be aware that people in this country like to be told the scale of the problem. From this point of view, the people understand the constraints and difficulties of government. Governments must make decisions on to how to proceed rather than just comment. In this regard, the Government has brought clarity and certainty to the banking sector. We must now move on to discussions in regard to the interest rate on the IMF-EU deal and other costs associated with that structure.

It is important to understand that what we are seeking from Europe is not more but less money with greater flexibility to achieve the same target. The Government is concentrating on providing a jobs initiative programme which it will publish in due course. This initiative will provide opportunities and incentives to stimulate our indigenous economy, thus providing that much needed sense of confidence and hope for job creation and allowing employers to recruit labour and getting our country moving. Other countries have moved on; their recession is over. We face an enormous range of difficulties. Courage is needed if we are to move forward in accordance with the programme for Government.

Order of Business

The Taoiseach: It is proposed to take No. 5, motion re Standing Orders 26 and 36; No. 7, statements on the murder of Constable Ronan Kerr; and No. 8, Communications Regulation (Postal Services) Bill 2010 [*Seanad*] — Second Stage (Resumed).

It is proposed, notwithstanding anything in Standing Orders, that No. 5 shall be taken without debate; and the proceedings on No. 7 shall, if not previously concluded, be brought to a conclusion at 7 p.m. and that the following arrangements shall apply: the statement of the Taoiseach and of the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order, shall not exceed 15 minutes in each case, the statement of each other Member called shall not exceed ten minutes in each case, Members may share

time and a Minister or Minister of State shall be called upon to make a statement in reply, which shall not exceed 15 minutes.

Private Members business shall be No. 20, motion re referendum on the bank bailout and the IMF-EU arrangement.

An Leas-Cheann Comhairle: There are two proposals to put to the House. I call Deputy Martin on the Order of Business.

Deputy Micheál Martin: On No. 5, motion re Standing Orders 26 and 36 and the proposed Government amendment, our Whip has written to the Government Whip setting out our position in relation to this matter. We wish to be constructive in terms of amending Standing Orders given the number of votes and lengthy debate which took place during the Order of Business in the last Dáil. In this regard I do not look to Deputy Durkan or any other Member of the Government side in terms of the degree to which many of them indulged in raising matters on the Order of Business during the last Dáil.

Deputy Dara Calleary: They are quiet now.

Deputy Bernard J. Durkan: This is boring. Deputy Martin should stop looking up to the Gallery.

Deputy Micheál Martin: I suggest the Opposition has been constructive in terms of its engagement on the Order of Business of this Dáil.

Deputy Pat Rabbitte: The Deputy's colleagues are good. It is he who creates the problem.

Deputy Micheál Martin: What is proposed is a unilateral change to Standing Orders and I do not believe that is the correct process in which to engage. I ask that the Whips meet to agree a comprehensive series of changes to Standing Orders. The Government's programme and indeed the policy documents of most political parties suggested changes in terms of how we conduct our business in this House and in regard to amendment of Standing Orders. If what we seek is a consensual approach in this regard, we should then create a process for so doing. I ask, in the spirit of co-operation, that the Government withdraw this motion. Let us approach this in a consensual manner with all Whips meeting to earnestly discuss reform of how we do our business. The Taoiseach will find us forthcoming in that regard. We have no wish for disruption of the Order of Business. We believe that it is not the Executive who should dictate the pace or nature of Standing Orders of this House but rather all Members of the House and their respective Whips who represent them in discussions.

Deputy Aengus Ó Snodaigh: I, too, oppose this change in Standing Orders. All of us in this House wish to facilitate Dáil reform. I was a member of sub-committee on Dáil reform for many years, the work of which was obstructed not by me or the smaller parties but by others. I believe any changes made should not be to Standing Orders alone but in the context of overall change. Many parties have proposed reasonable changes which would facilitate reform of the Dáil. I do not have a problem with facilitating a once-off change, for instance, to accommodate someone who cannot or does not wish to be present for Taoiseach's questions tomorrow. However, there are more effective and efficient means of giving effect to such a change. One option would be to have an earlier sitting. Another proposal has been made to have topical questions. Rather than forcing the issue, I concur with Deputy Martin's suggestion that the motion be withdrawn until such time as a full plan for Dáil reform has been brought forward. Last Thursday's discussion on committees marked a start with regard to the agenda

[Deputy Aengus Ó Snodaigh.]

the Government has stated it will pursue. As we have not yet received its proposals in totality, it would not be appropriate to adopt this proposed change on its own.

Deputy Richard Boyd Barrett: Why does the Order of Business not refer to the shocking revelations in today's edition of *The Irish Times* concerning gardaí abusing and threatening with rape individuals they had detained at protests in County Mayo?

An Leas-Cheann Comhairle: The matter does not arise on the Order of Business.

Deputy Richard Boyd Barrett: I am asking the reason it does not feature on the Order of Business.

Deputy Paul Kehoe: The Deputy should submit a request to have the matter discussed on the Adjournment.

Deputy Richard Boyd Barrett: It is a serious issue which should feature on the Order of Business.

An Leas-Cheann Comhairle: The Deputy can pursue it by other means.

Deputy Richard Boyd Barrett: Surely I can ask the reason certain matters do not feature on the Order of Business.

An Leas-Cheann Comhairle: We are discussing the first proposal put to the House which relates to No. 5. I ask the Taoiseach to reply.

Deputy Richard Boyd Barrett: I wish to raise another matter.

An Leas-Cheann Comhairle: The Deputy may do so later.

Deputy Enda Kenny: I will try to help Deputy Boyd Barrett if I may. Three issues must be decided on the Order of Business. The first relates to Standing Orders 26 and 36. On the first day I took questions I indicated to Deputy Martin and others that I hoped Deputies would have a rational discussion of how we would make this Chamber more effective, vibrant and energetic. I also spoke of requiring Ministers to be responsive to issues of the day and the questions asked.

The issue before us was raised at last week's meeting of the Whips and has been placed on the Order Paper because the flow of business in the House has not been right for some time. It is proposed that, following Leaders' Questions, we will have the Order of Business for 30 minutes and that this will be followed by Taoiseach's questions. The change would only apply on Wednesdays. It is not my intention to have this individual measure continue in perpetuity as I have a range of ideas which I have put to my party Whip. The Whips will discuss a series of radical changes to the way in which we do business at their meeting next week and this proposal can be thrown into the melting pot.

Whips were sent text messages and e-mails about this proposal yesterday. The change which was also discussed at last week's meeting of the Whips would only apply on Wednesdays. In the context of discussions at next week's meeting of the Whips on a whole series of changes to make the Dáil more relevant, effective and responsive, I ask the parties opposite to leave the proposal in place. I do not want to withdraw it because it would provide for a better flow of business. I hope we will agree on it because, as Deputy Martin will know from his years on this side of the House, the committee dealing with Dáil reform met until its members were blue in the face but nothing happened. We will see to it that something happens now.

(Interruptions).

Deputy Micheál Martin: On No. 5——

An Leas-Cheann Comhairle: I will accommodate a brief intervention by Deputy Martin.

Deputy Micheál Martin: I ask the Taoiseach, in the spirit of what he said——

Deputy Emmet Stagg: On a point of order, is there a new Standing Order allowing party leaders to make two interventions rather than one?

An Leas-Cheann Comhairle: I am allowing Deputy Martin to make a brief intervention.

Deputy Emmet Stagg: Deputy Martin's first contribution was supposed to be brief, but it was not. While we welcome the Fianna Fáil Party's new wish for consensus, having been in opposition for the past 15 years, I recall being told at Whips' meetings to take it or leave it. Fianna Fáil will get reform, regardless of whether it likes it.

Deputy Dara Calleary: Militant is back.

Deputy Micheál Martin: It is always good to witness the poacher becoming gamekeeper.

(Interruptions).

An Leas-Cheann Comhairle: Order, please.

Deputy Micheál Martin: The principle the Taoiseach has missed is that I agree with the need to reform Standing Orders and that my party is anxious to co-operate in that regard.

Deputy Emmet Stagg: Time will tell. Fianna Fáil has never co-operated.

Deputy Micheál Martin: There is an important principle at stake. If the Government is genuine about all the rhetoric we have heard since its formation about the House reforming Standing Orders and so forth, let the House do so and the Fianna Fáil Party will co-operate.

Deputy Emmet Stagg: We have a mandate to do so.

Deputy Micheál Martin: All the reform documents stated the Executive should not dictate to Parliament how it did its business. All I am asking is that the proposal be withdrawn and that the Whips meet to agree a variety of reforms quickly.

Deputy Emmet Stagg: We discussed the issue two weeks ago.

Deputy Micheál Martin: We should not be selective in this regard. A comprehensive series of reforms has been proposed. What we have is selective imposition by the Executive as to how the House should do its business. That is not good enough and not in keeping with the spirit of the reform proposals included in the various policy documents of all parties.

Deputy Emmet Stagg: The majority in the House will decide the matter.

Deputy Micheál Martin: While it is all very well for Deputy Stagg to endeavour to impose himself again and be whatever he wants to be, there is an important point of principle at stake. The Taoiseach may ignore it or put the matter to a vote if he wishes, but I respectfully ask him, in the spirit of our agreed co-operation, to withdraw the motion and approach this issue correctly. Although the matter was raised at the Whips' meeting, the Government Whip stated

[Deputy Micheál Martin.]

he would revert to the matter at the subsequent meeting of the Whips. It was not agreed by the Whips by any means. It was raised at the end of the meeting in a sort of a sleeveen way rather than in an up-front manner.

The Taoiseach: The Fianna Fáil Party will not be denied any rights. At present, we have Leaders' Questions followed by Taoiseach's questions followed by the Order of Business. A number of people have suggested business would flow better if Leaders' Questions were followed by the Order of Business to allow matters of national interest to be raised.

5 o'clock This would then be followed by Taoiseach's questions. As Deputy Martin will recall, on the first day I answered questions I indicated that we would perhaps change questions to the Taoiseach on one day to allow Deputies to raise topical issues and receive replies from Ministers. The proposal relates to Wednesdays only and Deputies would not be denied an opportunity to raise matters on the Order of Business. Although the time allocated to the Order of Business under the proposal is 30 minutes, this period would be extended if a vote or votes were called and Taoiseach's questions would be pushed out further. No one would be denied the right to raise an issue on the Order of Business. The proposal would provide for a better flow of political business in the Chamber and refers only to Wednesdays.

Question put: "That the proposal for dealing with No. 5 be agreed to."

The Dáil divided: Tá, 101; Níl, 41.

Tá

Bannon, James.
 Broughan, Thomas P.
 Bruton, Richard.
 Burton, Joan.
 Butler, Ray.
 Buttimer, Jerry.
 Byrne, Catherine.
 Byrne, Eric.
 Cannon, Ciarán.
 Carey, Joe.
 Coffey, Paudie.
 Conaghan, Michael.
 Conlan, Seán.
 Connaughton, Paul J.
 Conway, Ciara.
 Coonan, Noel.
 Corcoran Kennedy, Marcella.
 Costello, Joe.
 Coveney, Simon.
 Creed, Michael.
 Creighton, Lucinda.
 Daly, Jim.
 Deasy, John.
 Deenihan, Jimmy.
 Deering, Pat.
 Doherty, Regina.
 Donohoe, Paschal.
 Dowds, Robert.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Farrell, Alan.
 Feighan, Frank.
 Ferris, Anne.
 Fitzgerald, Frances.
 Fitzpatrick, Peter.

Flanagan, Terence.
 Gilmore, Eamon.
 Griffin, Brendan.
 Hannigan, Dominic.
 Harrington, Noel.
 Harris, Simon.
 Hayes, Brian.
 Heydon, Martin.
 Hogan, Phil.
 Howlin, Brendan.
 Humphreys, Heather.
 Humphreys, Kevin.
 Keating, Derek.
 Keaveney, Colm.
 Kehoe, Paul.
 Kelly, Alan.
 Kenny, Enda.
 Kenny, Seán.
 Kyne, Seán.
 Lawlor, Anthony.
 Lynch, Ciarán.
 Lynch, Kathleen.
 Lyons, John.
 Maloney, Eamonn.
 McCarthy, Michael.
 McEntee, Shane.
 McFadden, Nicky.
 McGinley, Dinny.
 McHugh, Joe.
 McLoughlin, Tony.
 McNamara, Michael.
 Mitchell, Olivia.
 Mitchell O'Connor, Mary.
 Mulherin, Michelle.
 Murphy, Dara.

Tá—*continued*

Murphy, Eoghan.
 Nash, Gerald.
 Naughten, Denis.
 Neville, Dan.
 Nolan, Derek.
 Noonan, Michael.
 Ó Ríordáin, Aodhán.
 O'Donovan, Patrick.
 O'Mahony, John.
 O'Reilly, Joe.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Phelan, Ann.
 Phelan, John Paul.

Quinn, Ruairí.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Brendan.
 Shatter, Alan.
 Sherlock, Sean.
 Shortall, Róisín.
 Spring, Arthur.
 Stagg, Emmet.
 Stanton, David.
 Tuffy, Joanna.
 Twomey, Liam.
 Wall, Jack.
 Walsh, Brian.
 White, Alex.

Níl

Adams, Gerry.
 Boyd Barrett, Richard.
 Browne, John.
 Calleary, Dara.
 Collins, Joan.
 Collins, Niall.
 Colreavy, Michael.
 Cowen, Barry.
 Crowe, Seán.
 Doherty, Pearse.
 Dooley, Timmy.
 Ellis, Dessie.
 Ferris, Martin.
 Fleming, Sean.
 Healy, Seamus.
 Kelleher, Billy.
 Lenihan, Brian.
 Mac Lochlainn, Pádraig.
 Martin, Micheál.
 McConalogue, Charlie.
 McDonald, Mary Lou.

McGrath, Finian.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 McLellan, Sandra.
 Moynihan, Michael.
 Murphy, Catherine.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 Ó Snodaigh, Aengus.
 O'Brien, Jonathan.
 O'Dea, Willie.
 O'Sullivan, Maureen.
 Pringle, Thomas.
 Ross, Shane.
 Smith, Brendan.
 Stanley, Brian.
 Tóibín, Peadar.
 Troy, Robert.
 Wallace, Mick.

Tellers: Tá, Deputies Emmet Stagg and Paul Kehoe; Níl, Deputies Aengus Ó Snodaigh and Seán Ó Fearghaíl.

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 7, statements on the murder of Constable Ronan Kerr, agreed to?

Deputies: Agreed.

The Taoiseach: On that point, the Whips may discuss that we might agree a unanimous motion at the end of the statements.

Deputy Micheál Martin: Yes.

The Taoiseach: The Tánaiste circulated a draft to the Whips for their agreement. We will consult on that during the course of the statements and hope to have it agreed at the end.

An Leas-Cheann Comhairle: I call Deputy Adams on the Order of Business.

Deputy Gerry Adams: I raised the issue of the minimum wage with the Taoiseach last week in the context of the example of the five Davenport Hotel workers who had their wages lowered without their consent. The Labour Party and Fine Gael made commitments before the election to reverse the cut and restore the minimum wage. Does the Government remain committed to this and when will it be done? I was very perturbed that the Taoiseach said in response to me that he would need the approval of the EU and the IMF to reverse the decision by the last Government to reduce the minimum wage. At some point, the Taoiseach has to stop blaming the last Government for the actions of this Government. I am caught on what authority the Government has if it must get the permission of the EU and the IMF to rectify the reduction of the minimum wage. Does it remain a Government commitment and when will it be brought forward?

The Taoiseach: I know Deputy Adams is new to this House of Parliament. He is obviously aware a deal was done between the previous Government, on behalf of the country, and the IMF-EU. One of the commitments we gave as an incoming Government was to reverse the decision in respect of the minimum wage. It is not a budgetary matter, so it is not just a matter for the Minister for Finance, and it requires the approval of the IMF-EU. In fact, it was mentioned this morning and we have asked the Attorney General for her advice as to whether it will require legislation to do this. We will report to the Members of the House when that advice is available.

Deputy Gerry Adams: What is the clarification being sought from the Attorney General? Is it in regard to the power of the Government or in regard to the IMF-EU?

The Taoiseach: The question being put to the Attorney General is whether it will require legislation to reverse the decision in respect of the minimum wage.

Deputy Gerry Adams: Is it the intention of the Government to do that?

The Taoiseach: The Attorney General will report to the Government on whether it will require legislation.

Deputy Dara Calleary: The Taoiseach and the Tánaiste both promised last week that the legislative programme would be published today. I notice it has yet to be published. Will it be published this week or will it go into another week?

The Taoiseach: It went out at 4 p.m.

Deputy Richard Boyd Barrett: I understand legislation is required to hold a referendum. Is the Taoiseach aware a debate is taking place today on a motion put forward by the Technical Group that we should have such a referendum? Whether the Taoiseach or the Government agree with that, I invite him and a few more Members of the Government side than often turn up at Private Members' time to do us the courtesy of having a discussion on an issue that is of such grave importance, namely, the economic future of this country. This would allow for a proper debate on whether this country should be allowed to decide whether it wants to proceed with the bank bailout and the IMF deal. Will the Taoiseach instruct a few of the troops to come along, and perhaps he could also come along, and participate in a real way in that debate about——

Deputy Pat Rabbitte: I hear there is a split. Is there a split?

Deputy Richard Boyd Barrett: We do not do splits.

Deputy Joan Collins: We are not that agile.

Deputy Michael Noonan: The first item on the agenda — the split.

Deputy Alan Shatter: The Technical Group and the non-Technical Group.

An Leas-Cheann Comhairle: Order, please.

The Taoiseach: I usually deal with promised legislation on the Order of Business. The people voted in a general election and gave the incoming Government a very strong majority. We will move on to make decisions in the country's interests. If I am not in the Chamber, I will certainly listen to the Deputy's contribution, split or no split.

Deputy Timmy Dooley: I would say he will.

Deputy Finian McGrath: Send in the Minister, Deputy Rabbitte.

Deputy Pearse Doherty: Having examined the legislative programme, I have three questions with regard to proposed legislation. First, I see in the pink pages that we will deal with the finance (No. 2) Bill, which will give effect to the issues in regard to civil partnership but also in regard to the mini-budget that is to be introduced. What is the date of that mini-budget? While I understand it is expected in May or June as there is talk of it being within the first 100 days, can we have some clarity as to when it will be introduced?

Second, nowhere in the legislative programme is there reference to the strategic investment bank, which is a promise made in the programme for Government. Is that binned or is it still on the agenda? When are we likely to see any relevant legislation?

Another omission in the legislative programme is a measure relating to mortgages, specifically, the difficulties being experienced by the many who are already struggling to pay their mortgages. In light of the interest rate hike by the ECB that is expected shortly, are there any proposals by the Government, as promised, to bring forward measures that will reduce the severity of such hikes, as well as in regard to restructuring mortgage debts of customers? We have dealt with the banks in terms of the stress tests. Is there legislation pending in regard to ordinary customers? Will the Taoiseach indicate when there will be a mini-budget, whether the investment bank is binned and whether the Government intends to bring forward proposals in terms of mortgages?

The Taoiseach: On the first issue, that will take place before the end of May. Second, in respect of the press release, there are a number of issues to be decided in respect of the strategic investment bank and the NewERA programme, and these are being advanced because they cover more than one Department.

Deputy Billy Kelleher: The Taoiseach is diluting it already.

The Taoiseach: Third, the Minister for Finance is considering a number of initiatives in respect of mortgages and distressed mortgages, and will report to the House when those are finalised.

Deputy Aengus Ó Snodaigh: The legislative programme does not mention a Bill relating to the promised referendum on children's rights. Is that an oversight or has it dropped off the programme for Government?

In regard to the Social Welfare and Pensions Bill, is this the legislation that will force people to work until they are 68 and will close off job opportunities from young people while forcing

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older people to work? Will there be an impact assessment done before this legislation is produced? A document produced here some years ago, called “Regulating Better”, included a recommendation that prior to the publication of legislation there should always be an impact assessment. In this case it would probably be a victim impact study.

The Taoiseach: A great deal of good work was done by an all-party Oireachtas committee on a proposed wording for a children’s right referendum. The previous Attorney General gave a view on that and a different form of wording was produced. The children’s rights advocacy groups were somewhat upset about this when I met with them before the election. They were of the opinion — without being definite about a referendum — that it might be possible to arrive at an agreed position whereby a referendum on children’s rights could be held, presumably on the same day as a presidential election which will happen some time in November. That is not definite and the Minister for Children is looking at the advice given by the previous Attorney General in respect of the wording for what is a sensitive and serious issue. There was no commitment to hold a specific referendum on the date of a presidential election, but it is a matter that can be considered. If there is a referendum there will also have to be a Bill giving effect to it, which would impact on the legislative programme as published at 4 p.m.

The Social Welfare and Pensions Bill deals with changes in the budget for 2011, PRSI issues and some pension changes. If the Deputy requires further details I will have them supplied to him.

Deputy Michael McGrath: I have been in the Chamber for several hours so I apologise if my question is answered in the legislative programme. In regard to the proposed division of responsibilities in the Department of Finance, I am sure the Minister, Deputy Howlin, is anxious to get his teeth into his new portfolio of public expenditure and public sector reform. However, he currently has no portfolio and we in opposition have no opportunity to direct questions to him in the Dáil. How quickly will that situation be dealt with?

The Taoiseach: The Minister, Deputy Howlin, is anxious to be able to answer questions as quickly as possible. The Bill giving legal effect to the setting up his Department is being pursued as a matter of urgency.

Standing Orders: Motion

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): I move:

“That, notwithstanding anything in Standing Orders, with effect from 6 April, 2011 and until further notice in the 31st Dáil:

(1) Standing Order 26 of the Standing Orders relative to Public Business is hereby amended as follows:

(a) by the substitution for subparagraph (2)(b)(ii) of:

‘(ii) on Wednesdays, immediately following Leaders’ Questions, and’,

and

(b) by the insertion of the following paragraph after paragraph (4):

‘(5) The proceedings on matters comprehended by paragraphs (2) and (3) shall not exceed thirty minutes on Wednesdays.’

and

(2) Standing Order 36 of the Standing Orders relative to Public Business is hereby amended by the substitution for subparagraph (1)(a)(ii) of:

‘(ii) following the Order of Business on Wednesdays for a period not exceeding forty-five minutes.’”

The Taoiseach: For the information of Members, if this motion is agreed, we will have to wait until tomorrow morning to give effect to it.

Question put and agreed to.

Murder of PSNI Constable: Statements

The Taoiseach: Last Saturday in Omagh a despicable act was carried out which has been universally condemned in both parts of this island. It will be counter-productive to the perpetrators. I convey my utter abhorrence of the brutal and senseless killing of Constable Ronan Kerr. I speak for everyone in this House in expressing deepest condolences to his family. We must remember that, in the first instance, the callous murder of Constable Kerr has left his mother, Nuala, grieving for a lost son and Cathair, Aaron and Deirine without a much loved brother. Their loss is a terrible one and I send them my deepest sympathy at this very sad and dark time.

Ronan Kerr’s death is a severe loss to his family. He is also a great loss to his friends and community, to his fellow GAA players, to his colleagues in the Police Service of Northern Ireland and to all peace-loving people on this island. I was particularly moved by the words of Nuala Kerr who, in the midst of her shock and grief, was brave enough to speak out against the perpetrators of this heinous and cowardly act and to urge Catholics not to be deterred from joining the PSNI, a sincere sentiment later reinforced in the statements from the First and Deputy First Ministers. I spoke to Nuala yesterday. Despite her loss she welcomed my call and spoke warmly and with immense pride about her son, Ronan. Her dignity at what is a deeply sad time for the Kerr family impressed me greatly. I intend to offer my sympathy to her and her family in person tomorrow

In totally condemning the callous killing of a young man who had decided to dedicate his life to protecting the people of Northern Ireland, I am joined by all the political voices on these islands. What is especially striking is the speed with which all sections of the community have moved to express their utter outrage at this unlawful, merciless murder. The condemnation has been broad-based and swift. The Church of Ireland Archbishop of Armagh, the Most Rev. Alan Harper, and the Bishop of Derry and Raphoe, the Right Rev. Ken Good, were correct when they said that the “cruelty and shame of those who committed this act, either in planting the device or in supplying of information, is displayed for all the world to see.” In his statement the president of Ulster GAA summed up what many feel when he said that “his [Constable Kerr’s] death demeans humanity and is detrimental to the development of a shared future based on mutual respect.” Later he described the attack on one of its members as an “attack on us all”. I join the British Prime Minister, Mr. David Cameron, when he said that “those who carried out this wicked and cowardly crime will never succeed in dragging Northern Ireland back to a dark and bloody past.”

Since the terrible incident on Saturday I have spoken to the Prime Minister, Mr. Cameron, the First Minister, Mr. Peter Robinson, and to the Deputy First Minister, Mr. Martin McGuinness. Many ministerial colleagues have been in touch with the Secretary of State for

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Northern Ireland. We are all equally determined, in a combined effort, to maintain peace, stability and security in Northern Ireland. We will not waver from that task.

Saturday's attack was an attack on community policing, and its impact has been felt by both police forces on this island. The Garda Commissioner put it well when he said that while the Garda and PSNI wear different uniforms, they are woven together by what they do. The extent and quality of co-operation between the Garda and the PSNI is of the highest level and is proving to be a successful collaboration. The increased level in dissident activities in the past two years has been met by even greater levels of co-operation between both forces. Saturday's events will only strengthen that co-operation.

The Government will provide every support to the investigation into this crime. The Minister for Justice and Equality has been in touch with his opposite number, the Northern Ireland Justice Minister, Mr. David Ford, to assure him that every support will be given to the PSNI in this case. This shocking event brings to mind the violence and destruction that unfortunately was so much a part of the past in Northern Ireland and which brought previous tragedy to the good people of Omagh. One must also remind oneself that in recent years, as a result of the peace process, a new era has developed that has totally transformed Northern Ireland, the relationships between both its traditions and the relationships between North and South. Saturday's terrible event will not deflect us from this path of peace.

I join with the PSNI Chief Constable and the Garda Síochána in appealing to members of the public who have any information relating to the criminals responsible to come forward. No effort must be spared in bringing them to justice. This was a heinous and pointless act of terror by a small segment of the population whose motivation lies in the dark past. The rejection of this awful crime and the united response of the political parties and civic society sends out a very clear message. Quite simply, we will not allow a return to instability and violence. The democratic will of the people will never be defeated. The democratic institutions and the peace that has been so hard-won are being challenged by a tiny and unrepresentative group of people with no mandate and no support for their actions. They are acting in defiance of the peace process so wholeheartedly supported by the people on this island.

The Good Friday Agreement made clear the people's commitment to peace and the creation of a stable society founded on mutual respect, equal rights and opportunities for all its citizens. The Agreement provided the basis on which Northern Ireland has reached a new era of peace, mutual respect and co-operation. It provided a firm basis for reconciliation and renewal and helped to bring to an end the historical legacy of mistrust and bitter conflict. The Good Friday Agreement provided a framework for a new beginning and a new era marked by tolerance and mutual respect for all people and all points of view on this island. The constitutional amendment so emphatically endorsed by the people in 1998 sets out clearly our commitment to working in partnership and friendship to unite all the people who share the territory of the island of Ireland, with equal regard to the diversity of their identities and traditions, recognising that a united Ireland shall be brought about only by peaceful means with the consent of the majority of the people, democratically expressed, in both jurisdictions in the island.

These principles are strongly adhered to today and continue to guide Government policy. Through all the twists and turns over the last number of years, the Agreement has endured, both in respect of its institutions, which are central, and of the very principles and aspirations it embodies. These principles and aspirations continue to guide us as we continue to work together to make a better future and resolve never to return to the pain, suffering and darkness of the past. The Good Friday Agreement represents the absolute democratic will of the people of this island, North and South. Its implementation is an imperative to a peaceful and prosperous future on this island. Last Saturday's tragedy is completely contrary to the letter and the

spirit of the Agreement. It was an action of a past from which we all have moved on and was a brutal action that offers nothing to either the present or the future. It was a cold, calculated and cowardly act carried out by what the Deputy First Minister described as the “enemies of ... peace” and “enemies of the people of Ireland”.

When the Northern Assembly rose at the end of March in advance of the Assembly elections, it marked the longest continual period of operation of the institutions in the North since the Agreement. This is a significant achievement and is a historical milestone. I wish to acknowledge the commitment and determination of the political leaders in Northern Ireland to work together to create a new future. They demonstrate the primacy of democracy and hope over violence and despair. They have shown that the institutions work. They have displayed a firm commitment to tackling issues that concern everyone, including the economy, jobs, health, education, infrastructure and the quality of life in general. Above all, the political institutions offer real hope for the future. In referring to those who perpetrated this act, the First and Deputy First Minister gave a clear message that the devolved institutions in Northern Ireland are stronger today than ever before. In this context, the forthcoming elections represent the normalisation of politics in the North, which was brought about by democratic politics, democratic votes and adherence to the rule of law by a forward-looking society.

In its programme for Government, the Government has set out its full support for the full implementation of the Good Friday Agreement and the St. Andrews Agreement. It is committed to publishing and acting on the recommendations of the first review of the North-South implementation bodies and areas for co-operation and will progress the second part of the review to identify new areas for North-South co-operation. The promotion of greater economic co-operation on this island to accelerate the process of recovery and the creation of jobs also is a clear part of that agenda. The Government is committed to furthering these issues through the work of the North-South Ministerial Council. The degree of co-operation at all levels between North and South and across a wide range of key sectors continues to develop. There has been a transformation of relationships on this island. Relations between nationalism and unionism have been transformed, as have relations between North and South and between Ireland and Britain.

The Government remains firmly committed to working with the Northern Ireland Executive and the British Government to maintain peace in Northern Ireland, to build on the historic achievements that have been made after so much hard work by so many and which have helped to create a better future for everyone on this island. I hope and pray that the tragic and unfortunate death of Ronan Kerr will mark a turning point for those who might lean towards supporting violence as a way forward. Violence clearly is not a way forward for anyone. It can not and will not succeed in dividing us. This House is united today, as is our country, in remembering the life of a young and proud Irishman, Constable Ronan Kerr. He was a proud Irishman who loved his country and who lost his life in the service of Ireland and the cause of peace. *Ar dheis Dé go raibh a anam dílis.*

Deputy Micheál Martin: I welcome the opportunity to speak on the callous and shocking murder of Police Constable Ronan Kerr. I will of course also attend his funeral mass tomorrow. I referred earlier to the importance of an agreed motion to give a clear message from this democratic Chamber.

At the outset, I wish to extend my deepest sympathies and those of my party to the family, friends and neighbours of Ronan Kerr. His murder is a heinous crime and those responsible for it are beneath contempt. They are psychopaths not patriots and I hope they soon will face the full rigors of the law. Ronan Kerr was a brave and civic-minded Irishman. He was shamefully murdered by faceless and twisted assassins who are intent on defying the will of the Irish

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people. Ronan died in the service of his community as he left his home to go to work in Enniskillen on Saturday evening in order that others could live in peace and security. His death is a human tragedy for his family and for the people of Omagh. His murder has achieved nothing but suffering, pain and terrible grief among an ordinary hard-working family. Moreover, there is no escaping the sadness, sense of waste and lost potential of a young man in his prime, only 25 years of age, being senselessly and brutally assassinated by people who have no respect for human life and no respect for democracy.

The perpetrators of such evil actions have no place in civilised society and must be challenged and confronted at every opportunity. In the aftermath of an horrific murder such as this, it is important that a clear, united and unequivocal message be sent from the democratic Parliament of the Irish Republic that those responsible for this cowardly atrocity have no mandate and do not act in the name of the Irish people. The terrorists who carried out this brutal killing have no democratic legitimacy. They went about their vile business because they have no respect for the sovereign wishes of the Irish people. They may claim to be a republican organisation but most definitely are not. Their actions and contempt for the will of the Irish people, North and South, to live together in peace and harmony, defiles that honourable tradition. Real republicans understand and respect the fact that the Irish people are sovereign. Real republicans recognise and accept that the Irish people have democratically expressed their support for peace on this island and stand firmly behind that inspired decision.

The murder of Ronan Kerr is a direct assault on and a violent attempt to undermine the peace process. It is a brutal effort to subvert the collective will of the people as expressed in the Good Friday Agreement. It is part of a sinister plot to destabilise the legitimately established institutions in Northern Ireland. As democratically elected representatives, it is important that Deputies express with one voice our clear revulsion for and steadfast opposition to those who want to return this island to the bad days of murder and mayhem.

A lunatic minority who glory in a return to so-called armed struggle wish to undo all the progress of a generation in building peace and trust, but they will not succeed. The peace process belongs to all the people of this island and no terrorist gang will deflect us from it. No terrorist gang can be allowed to dictate to the Irish people or undermine our desire to live and share this island in harmony and friendship. The will of the people is stronger than those who threaten or use violence while claiming a political agenda. Let us be clear — there is no politics in the murder of Ronan Kerr. It is murder, plain and simple. It was carried out by people with no agenda other than to inflict pain and cause sorrow.

I want to make clear to the Taoiseach and the Government that they have this party's full support and enduring co-operation in ensuring that these terrorist gangs are not allowed to jeopardise the peace process. A convention has developed whereby they are referred to as "dissidents". I have always rejected this label. "Dissident" suggests a coherent opinion and a principled stand against another's position. It probably developed during the Cold War. It has no place in the description of the bloodthirsty nihilists who took the life of this fine young Irishman. They are straightforward gangs, but we are acutely conscious of the threat they pose. Unfortunately, this week has shown us once again their aptitude and capacity for evil. Irish and British security and intelligence sources believe they are becoming increasingly sophisticated in their bomb-making capability.

Fianna Fáil will support the Government in any effort it takes to place further extensive resources at the disposal of the Garda to target the activities of these gangs. We will also support the Government in any practical legislative measure it may introduce to crush those who engage in or give succour to terrorist gangs. The Garda Síochána will be giving every assistance to the PSNI to counter the subversive threat to democracy on this island. I am

heartened by the excellent co-operation between the police services. That is the way it should be and it is a reality which many of us in this House have worked hard to help achieve. Garda Commissioner Martin Callinan and PSNI Chief Constable Matt Baggott are liaising closely. Anti-terrorist officers from both police services are also working together in an effort to identify the murderers. It is the patriotic duty of everyone on this island to give full support to police investigations so the evil people responsible for this crime can be brought to justice.

This weekend, the name of Ireland was sullied again by those who trade in old hatreds and glory in weapons of terror. At a time when we crucially need to bring jobs and investment to our country, the international reputation of Ireland has taken another blow from murderers who care more about sowing the seeds of conflict than the need to restore prosperity to the people of Ireland. It is important that our national Parliament be seen to stand firmly and absolutely behind the peace process. For this reason, I suggested it would be an apt response from the House to pass an all-party agreed motion making clear our abhorrence of the murder in Omagh.

I also want to commend the response of First Minister Peter Robinson and Deputy First Minister Martin McGuinness who joined Chief Constable Baggott at Stormont Castle yesterday to condemn the attack on Constable Kerr. Indeed, the shared revulsion and outrage right across the political spectrum caused by the murder of the young police officer shows clearly how isolated and out of touch the murderers are with mainstream opinion. In every community across the island, the strong sense of solidarity with the Kerr family and the public anger at the wrong that has been done to its members show how far we have travelled and how deep the roots of reconciliation have stretched.

In many ways, this united approach and clear sense that the overwhelming majority of people want to leave violence behind offer us hope for the future. Trust and better relations take time to grow and develop, but they have begun to blossom in the past decade. There are still those who want to cling to ancient hatreds and to engage in violence, but they are few and isolated, their support is negligible and they will be defeated.

The fact that violence has reared its ugly head once again in Northern Ireland should make us all the more resolved to stick with our framework for peace, which is centred on key democratic values such as respect for human rights, equality, tolerance and the principle of consent. As a democrat who accepts the principle of consent, I endorse the right of a majority of the population of Northern Ireland to maintain the Union with Britain if that is the people's democratic wish. As a proud Irish republican, however, I equally aspire to seeing and will continue to work towards the day when a majority of the people of Northern Ireland freely choose the option of an Ireland united in peace. The great genius of the Good Friday Agreement is that it validates both of these options.

One matter is clear and beyond doubt — violence or the threat of violence can never be used to change the constitutional status of Northern Ireland. I completely fail to understand how any sane individual could ever believe, even for a moment, that murdering a community policeman advances the cause of a united Ireland one iota. It undermines that goal and demeans the shared humanity of everyone.

The murder of Ronan Kerr on Saturday and other more recent attacks against PSNI officers and their families have shown a small criminal minority of people continue to dispute this view. They do not enjoy any significant level of support in the community and are without any political agenda or mandate, but we must remain vigilant. As a constitutional republican, I was privileged to play a part in the negotiation of the Hillsborough Agreement, which saw the transfer of justice and policing powers from London to Belfast. This helped further consolidate the devolved institutions in Stormont and completed the transformation of policing in Northern

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Ireland. This also secured further cross-community support for Northern Ireland's new policing arrangements and removed any last vestige of legitimacy from those who sought to undermine the peace.

Like the Garda, the PSNI is essentially a force for good on this island. The targeting of Catholic members of the PSNI by dissident groups is not only misguided, but disgusting and morally wrong. On behalf of Fianna Fáil, I want to be crystal clear, in that there can be no justification whatsoever for threats of any description against any PSNI officer. The targeting of any officer on grounds of his or her religion is an evil and sectarian attack against the officer and genuine republican values.

We have persevered long, hard and successfully to transform policing through the implementation of the Patten report. The large increase in the number of Catholic police officers has been one of the key achievements of this transformation, helping to build mutual respect across Northern Ireland. In this regard, I will quote the wise words of a courageous woman, Mrs. Nuala Kerr, the mother of police officer Ronan Kerr, who has urged others from her community not to be deterred from joining the PSNI because of his murder. She stated:

This is at a time when we are striving for a neutral police force for the good of our country, and I urge all Catholic members not to be deterred by this. We all need to stand up and be counted and to strive for equality. We do not want to go back into the dark days again of fear and terror. We were so proud of Ronan and all that he stood for. Do not let his death be in vain.

Deputy Gerry Adams: I thank the Government for providing the time Sinn Féin requested for Teachtaí Dála to comment today on the murder of PSNI Constable Ronan Kerr on Saturday. On the day the Taoiseach was elected to office, we spoke informally for a moment. I congratulated him and he agreed to my suggestion to come north at the earliest opportunity, but none of us believed his first visit in his formal capacity as Taoiseach would be to this young man's funeral. This is a matter of deep regret.

Mar a dúirt mé níos luaithe anseo, sa Tuaisceart inné agus oíche Dé Sathairn nuair a chuala mé an scéal dona seo, tá dúnmharú Ronan Kerr mícheart. Tá Sinn Féin ag seasamh le teaghlach Kerr. Táimid leo.

On behalf of Sinn Féin, I wish to state our unequivocal condemnation of Ronan Kerr's murder. I appeal to any citizen with any information to bring it to the PSNI or An Garda Síochána. Ba mhaith liom mo chomhbhrón féin, agus comhbhrón poblachtánaigh in achan áit, a ghabháil le Nuala Kerr agus a chlann ar fad. I want to extend on my own behalf and that of republicans everywhere our solidarity and sincerest condolences to Nuala Kerr and her children, Cathair, Dairine and Aaron. Like many others I watched Nuala on television on Sunday, standing with her children beside her, speaking with love, pride and affection about Ronan. It was a desperately sad moment, made all the more poignant because it was mothers' day. Is an iontach brónach atá ann do Nuala Kerr agus dá clann.

Ronan's late father Brian came from Andersonstown in west Belfast. Tá a lán meas ag daoine ar chlann Kerr. The Kerrs are a well known and respected family. Ronan's grandparents and other family members live there and Ronan was a regular visitor. This week's *Andersonstown News* — the local newspaper — has photographs on its front page of Ronan's late father and his mother, Nuala, at a family reunion in the Andersonstown social club. This was formerly known as the PDF club, which used to support republican prisoners and their families and organised transport for families to visit people in Long Kesh, Armagh and Portlaoise.

Ronan was a keen GAA member. He played for Beragh Red Knights at under 12, under 14, under 16 and at minor level. He was also an enthusiastic Tyrone supporter. He was one of many young Nationalists and republicans who, following fundamental changes to policing, decided to join the PSNI. He wanted to serve his community and had just completed his training. He was 25. That means he was eight years old when the first IRA cessation was called. For most of his life and all of his short adult life, he had, like all of his generation, no experience of conflict.

Speaking on Sunday Nuala Kerr spoke for all of us when she said, as others have quoted:

It is a sad day for our community. Ronan was a valued member and he had much to offer. This is at a time when we are striving for a neutral police force for the good of our country and I urge all Catholic members not to be deterred. We all need to stand up and be counted and to strive for equality. We do not want to go back to the dark days again of fear and terror.

She is right. We all must stand up for our community every day and everywhere on this island. We must stand up for equality and a non-partisan, civic policing service in the North. We must encourage young Nationalists and republicans to join the PSNI, and I do so again today. We must confront and challenge those responsible for Ronan Kerr's murder.

The shock, outrage and anger surrounding the murder of Ronan Kerr will unite and bind together more strongly than ever before all of those who want the peace process to succeed. I was in the North yesterday and the day before and met many republicans who have suffered grievously in the conflict. These people have spent a long time in prison without trial and have had their homes raided or family members assaulted, injured or, in some cases, killed. These people are seething with anger about this. There is such evidence in communities, from the GAA and among political representatives in civic society.

We must go beyond condemnation; that is key. It is important that we spell out our feelings on what occurred but there is an imperative on every citizen to defend the peace process. That especially includes those of us honoured to be elected as political representatives, such as those of us in the Chamber and the Government as a whole. We must demonstrate to those who want to tear down the Good Friday Agreement that we are resolute and determined to defend and build on the institutions. There is an onus on all of us, especially the Government, to implement all outstanding aspects of the Good Friday Agreement and to strengthen the all-Ireland institutional structures.

I want to take this opportunity to speak directly to those responsible for violent actions and others who might tolerate them. Sinn Féin offered — through people like me and Martin McGuinness — to meet you and to outline our strategy for advancing republican and democratic objectives and our belief in the futility of armed actions. So far you have refused to speak to us, dismissed us and placed a death threat on some of us. I make the same offer again. I have no problem with anyone disagreeing with Sinn Féin and that is your right, but you have no right to attack anyone and there is no support for this. That is clear from the overwhelming public rejection of the attack which killed Ronan Kerr. The people of this island demand that you stop. I will meet you anywhere at any time to listen to what you have to say and to tell you that there is now a democratic peaceful way to unite our people and our country on the basis of equality. Your achievement has been to unite us all in opposition to your actions. It is time to end these futile attacks on the peace process; they will not succeed. Tá an cogadh thart. The war is over. The IRA is gone.

I appeal to anyone who helped in any way to assist or shelter the perpetrators of this action, or those who may in some way — in their head or from a bar stool while chatting — try to justify this action. Those who murdered Ronan Kerr are not the IRA; it has embraced, facilitated and supported the peace process. The IRA has left the stage and those who murdered

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Ronan Kerr have no coherent strategy and their actions do not advance any political agenda whatever. They are unrepresentative of the community and do not define republicanism. They claim to be republican but their actions are anti-republican and against peace. They are not dissidents; dissent is a good and necessary part of any democratic or social movement.

Almost 20 years ago, through a long and hard process of negotiation, effort and hard work, Sinn Féin developed a peace strategy and with others created a peace process that has brought about fundamental and positive change. Tá athraithe cuimsitheacha taréis tarlúint. Significant progress has been made, although this is a continuing struggle. One example of this is the fact that in four weeks there will be an election to the power sharing Northern Ireland Assembly and executive at the end of a successful four year term. Who could have imagined 20 years ago that Martin McGuinness could be in government with Ian Paisley or Peter Robinson, with Sinn Féin, the DUP and other parties in government? Who could have imagined the all-Ireland institutions or that the Taoiseach could be welcomed, even on a sad occasion, by every person he could meet at this sad time? That is progress and it should be developed.

The Good Friday Agreement provides a peaceful and democratic means to achieve republican objectives for those who have such goals. In referenda and in every subsequent election the people of this island have voted for this and subsequent agreements. There is no excuse, justification or explanation that can validate the murder of Ronan Kerr or any of the other actions of those involved in his killing. Our goal in the time ahead must be to defend the peace process and the Good Friday Agreement.

Nuala Kerr is right. This is a time to stand up and be counted against those who would seek to drag us back to the dark days and against those who are wedded to senseless and futile militarism. It is time to continue, as she put it, the quest for equality for all. That is the responsibility of every one of us.

Deputy Finian McGrath: I wish to share time with Deputies Joan Collins, Luke Flanagan and Catherine Murphy. I am thankful for the opportunity to speak to this urgent and sad debate, which concerns the horrific murder of Ronan Kerr, a young PSNI officer. I offer my deepest and most sincere sympathy to his mother, brothers and sister, as well as his family and close friends. It was a nightmare for young Ronan's family that he should die in such a way.

Before I discuss the political and policing aspects of his death it is essential to state we should never forget the human aspects of the tragedy and the hurt for his family. They will never get over it and, like many victims of the Troubles and of violence, their pain and hurt will continue for a long time. It is a sad day for the whole country to see such a young man's life wasted. Those of us who strongly support Irish unity and independence totally reject such attacks. They are wrong and have no support from the vast majority of the people. It is important that the Kerr family know that in their hour of need and deep sadness.

I commend the GAA on its brave stand yesterday in speaking out on this horrific murder. It was fair, decent and right, and showed leadership when it was needed. I also commend the leadership of Sinn Féin, particularly that of Deputy Gerry Adams today in his decisive and strong statement on Ronan Kerr's murder. We need that kind of leadership in this country concerning opposition to violence when there is a political path wide open to all people on the island. The people of this country want to solve our political problems by peaceful and democratic means. If one is not happy with the lot of the political scene — I am such a person — one can join a political party or become an Independent Deputy or councillor, put one's name forward, fight for one's political corner and bring change to this country.

6 o'clock

There are indeed choices and options. However, the blowing up of young Ronan Kerr was no such option and must be challenged in today's debate. The Good Friday Agreement is about accommodating difference and diversity, about bringing forward republican principles that are in line with the teachings of Tone and Connolly. It is about equality and respect. Saturday's killing was not about equality and respect. I belong to the Technical Group, a group of 16 Deputies who have strong differences on policy and political matters but are all united Irish men and women in the tradition of Tone and Connolly, uniting Catholic, Protestant and Dissenter. That is the way forward for Irish politics and for the country.

On the issue of policing I accept there must be major changes. The police force in the North must prove itself to be neutral and independent of politics. There has been a very sad history in that respect. Men and women in the police force must earn the respect of the community. Ronan was one of the 30% of Catholics who now make up the force. I strongly support all the parties which want to push up that figure. However, the Southern parties must change too and must actively support the peace process. All Members of this House and of the Northern Assembly must be guardians of the peace process. Otherwise there will be more Ronan Kerrs — that is the sad reality.

Again, I commend Deputy Gerry Adams. He was right to say all of us must make politics work and prove these people wrong. That is the essential point. It is not a time for sitting on the fence. We owe it to victims like Ronan Kerr. I reiterate my sincere sympathy to Nuala Kerr and all her family.

Deputy Joan Collins: On behalf of the People Before Profit Alliance, I condemn outright the pointless, cowardly murder of Ronan Kerr. We wish to send our deepest condolences to Ronan's mother and family who have shown great courage in what must be one of the most difficult times of their lives and one of their darkest hours of grief. This was a horrendous act and has really shocked the nation. Over the past few days many people have said to me, "What are we going back to? What are we facing into? We don't want this".

What has been termed a military campaign to drive the British out is doomed to failure. Thirty years of the Troubles demonstrated that such a campaign, based on the support of a section of the community and implacably opposed by the rest of it, could not succeed and was a failure. A so-called campaign with no support is pointless and any murder connected with it is despicable.

I note the Irish Congress of Trade Unions has called a solidarity rally in Belfast tomorrow and has asked for widespread support from trade unionists, working and unemployed people for this initiative. Such actions by trade unions have been decisive in the past in pulling Northern Ireland back from the brink and expressing solidarity towards families and communities as well as expressing opposition to murder.

We believe sincerely that unity of working people is the only way forward to achieve a lasting solution to the national question on this island. Peace must be linked to social and economic equality in the lives of the majority of people both North and South. Actions which divide working people and raise sectarian tensions are an obstacle to achieving that solution.

To Ronan's family and friends and the wider community I reiterate our sincere sympathy and our absolute condemnation of his murder.

Deputy Luke 'Ming' Flanagan: It is very sad to have to stand and talk about this matter. We had all hoped it was a thing of the past but obviously there are people who are determined it should not be. I am a parent as are many of those present. The fear of every parent is of getting a telephone call some day with bad news. That is what Nuala Kerr had to face last Saturday. It is hard enough to lose somebody connected to oneself through disease or a car crash but

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one must try to deal with that situation. However, the thought of having to deal with a telephone call telling one one's son has been blown up must be phenomenally difficult to handle. On behalf of the people of south Leitrim and Roscommon, on my behalf and that of my family, I wish to offer condolences to the family of Constable Kerr. He chose a path in life which was the right one and he was doing the right thing but unfortunately there were people who had a problem with that.

I condemn those whom I had intended to call animals. However, I have a dog at home and he never behaved like that. Trying to pick an adjective or superlative to describe the people who carried out this act is impossible. It is just horrible. Out of everything, however, one must try to take some hope and see some light. Some has emerged and to me the most striking was the minute's silence held at the Tyrone-Kildare game. It is not easy to keep a crowd of that size quiet, no matter what the occasion may be, but according to *The Irish Times* the people at the game observed the silence impeccably which shows there is some hope. There is massive hope in the condemnation of this act from all sides of the political divide in Northern Ireland. It was absolutely brilliant to hear the condemnation from Sinn Féin and from all political parties. We must take a little bit of hope from that.

Over the coming days my thoughts and those of people I know will be with Mrs. Kerr and her family. They will never get over this but I hope they know the people of the Republic of Ireland are on their side and that we do not agree with what happened. I do not believe there is anybody left in the Twenty-six Counties who does agree with it. My thoughts are with the family. I hope I will not have to stand up in this Chamber to talk about anything of this kind in the future. That would be good.

Deputy Catherine Murphy: The death of Constable Ronan Kerr in Omagh last week came as a shock, not only to his family and friends and his workmates, but to all right-thinking people who were shocked because of the motivation of those who carried out this evil deed. I cannot help but notice there is a much more sombre mood in the House today which I believe has a direct relationship to the terrible atrocity that happened on Saturday.

There is an acceptance that we simply cannot go back to the past. This was an act that would have us do just that. We cannot see another generation scarred in the same way we saw generations scarred during the years of the Troubles. We know this is what will occur unless it stops right here and now. Nuala Kerr, Ronan's mother, has asked that her son's death not be in vain. That request must be respected and supported in any way possible by the State. Her appeal was made on mothers' day, which should have been a day to celebrate with her son and the rest of her family but his life was cruelly and painfully cut short.

As news filtered out, and it was a few hours before it was clear what had happened, it did not occur to me to wonder about the religious faith of this young man. From a practical point of view, however, that mattered to those who carried out the atrocity because they do not want a shared peace. They are a tiny minority who must be completely isolated. People must come forward with any information they might have.

If evidence is needed of the progress that has been made over the years in the peace process, the statement by the Ulster Council of the GAA was it. The GAA was set up as part of the Gaelic revival of the 19th century and the GAA statement would not have been considered possible just a few short years ago when police officers were banned from playing Gaelic games, Catholics did not join the police and religion and policing were intertwined. Those have all changed, and we should celebrate that. We must not and cannot return to those days.

I express my sympathies to the Kerr family on the loss of a son and a brother, to his friends and to the PSNI on the loss of a colleague.

Minister for Justice and Equality (Deputy Alan Shatter): I want to begin my remarks by echoing the words of sympathy of the Taoiseach and others to the family of Constable Ronan Kerr. This is a terrible tragedy; terrible for his mother Nuala, terrible for Cathair, Dairine and Aaron, terrible for his community, for his colleagues North and South, and terrible for all of us on this island. We have been here before in this House, many times, but the contemplation of criminal terrorism never gets any easier. Two years ago we mourned the deaths of Constable Stephen Carroll and of the two young soldiers, Mark Quinsey and Patrick Azimkar.

Ronan Kerr was a young Catholic man whose only wish was to serve his community. That he chose to do so by joining the Police Service of Northern Ireland is a sign of how far the people of Northern Ireland have embraced hope. That he now lies dead is a sign of the despair into which these criminal terrorists wish to drag us.

As of yet there has been no claim of responsibility for this attack. So-called “dissident republicans” have been blamed. I say “so-called” because these groups debase both words. Historically, the term “dissident” was a badge of honour for those who opposed tyranny. These people, however, are dissenting from democracy itself. Their campaign of violence is designed to set at nothing the will of the Irish people. Other Members have today made similar comments.

Respect for democracy is fundamental to true republicanism. The perpetrators of this attack need to ask themselves who exactly they represent. At what point did their confused, totalitarian form of supposed republicanism become so perverted, so dogmatic, that its total rejection by their fellow countrymen and women became irrelevant?

In reality, the people who make up these groups are no more than criminal terrorists, whose activities are often inextricably linked with organised crime. While it is right that we in this House, on behalf of the people we represent, express our condemnation as strongly as we can, the unpalatable fact is that the people involved in these acts have so far proved impervious to the appeals of people from all backgrounds to stop the violence.

It is important, therefore, that we offer reassurance that the forces of law and order are doing everything possible, within the rule of law, to take on this threat. The Garda Commissioner yesterday briefed us fully on the security situation and on the steps being taken, in concert with the PSNI, to counteract terrorist activities and to assist in the investigation of this crime.

The Garda Síochána are constantly engaged in an intensive anti- and counter-terrorist effort against these organisations. It is of course the case that the range of measures made available to the gardaí to counter terrorist activity, including for example the powers available under the original Offences Against the State Acts, including the use of the Special Criminal Court, have been retained. I will be asking the House soon to renew the provisions of the legislation enacted after the earlier atrocity in Omagh in 1998.

The gardaí are using these measures wherever appropriate to do so. Over the last 18 months, around 100 people have been arrested in connection with such activities. Currently, 43 people are charged before the Special Criminal Court and 54 people are imprisoned having been convicted of offences relating to terrorist activity. Let me put it as plainly as I can: we will stop at nothing, within the rule of law, to defeat these groups.

I can also tell the House that I spoke with Northern Ireland Minister of Justice David Ford last Saturday, very shortly after the dreadful atrocity took place, and later that night with the Secretary of State for Northern Ireland. I expressed my sympathy to them for the loss of this young officer. I also reiterated the Government’s commitment to supporting the Chief Constable and his officers, not just in the investigation into this tragedy, but in general. I know that I speak for the Garda Commissioner in saying that we stand foursquare behind the PSNI. In this regard I can do no better than to quote the Commissioner himself, who, after speaking to

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Chief Constable Baggott on Saturday, stated that the two police forces on this island are bound together by a shared resolve and determination to bring those responsible for this crime to justice.

As the House knows, the honour of being Minister with responsibility for the Garda Síochána, and for the security of the State, has been mine for only a short time. One of my first actions was to travel to Belfast to meet with the northern Minister for Justice, David Ford. The Garda Commissioner and the Chief Constable of the PSNI accompanied us to that meeting and shared a frank assessment of the threat posed by the small number of criminal terrorists who continue to operate in both jurisdictions.

I was struck at that meeting by the obvious closeness of the relationship between the two police forces on this island, and the obvious commitment of the Commissioner and Chief Constable to working together. While security cooperation remains and must remain a particular priority — a fact brought into stark focus by the tragic death of Constable Kerr — it is clear to me that this commitment to work together extends to cover the full range of police work. The excellent relationship which exists between the two police forces has not arisen by accident and no-one should underestimate the efforts that have gone into getting us to where we are. As Minister I am now in a position to see at close quarters, and to support, the hard work and dedication that is necessary to make such a relationship work, and the abundance of goodwill between the two police forces which provides the base upon which good cooperation can be built and maintained.

One embodiment of this is the recent publication of the first formal cross-Border policing strategy. This new strategy shows the breadth of cooperation that exists and the determination of both police forces to use all the tools available to them to ensure that those who would seek to exploit the Border for criminal and terrorist purposes will not succeed.

The House should be in no doubt about the extent of the involvement of these groups in a range of criminal activities, including robbery, extortion, smuggling and kidnapping. To put it simply, on one side of the equation lies democracy, the Good Friday Agreement and the clearly-expressed desire for peace of the majority of the people of Ireland, and of every political party represented in the Oireachtas and at Stormont; on the other side lies a small number of unreconstructed criminal terrorists who appear to believe that robbery and kidnapping are legitimate steps on the road to Irish unity.

The people who carried out this barbaric attack have no coherent political position, no points of principle that any decent person could recognise. All they seem to believe in is the death of fellow Irishmen and women. Let us be clear about it in the context of what occurred at the weekend; this was killing for killing's sake. That they claim to carry out these attacks in the name of the Irish people, the same people who have roundly and categorically rejected them, is quite frankly sickening.

I say it again, the idea that the so-called dissidents are dissenting from is called democracy. There could be no greater contrast between the cowardly futility which these groups display and the brave words of Ronan Kerr's mother, Nuala, when, at a time of unbearable grief, she concentrated on doing good for the community, just as her son tried to do. If anyone who was involved in this killing had any remaining ounce of humanity they would have hung their heads in shame when they heard Nuala Kerr's words. She said, "We were so proud of Ronan and all that he stood for." So are we in this House. She said, "Do not let his death be in vain." It will not be. It has made us all the stronger in our determination that the evil behind it will not prevail. It has made us stronger in our determination that democracy will prevail and that peace on this island will be maintained.

Deputy Niall Collins: I dtús báire, ba mhaith liom dúnmharú Rónán Kerr a cháineadh. Ní éireoidh leis mar tá dúil ag muintir na hÉireann síochán sa tír seo a neartú. I offer my condolences to the family of constable Ronan Kerr, to his mother, Nuala, his sister, Dairine, and his brothers, Cathair and Aaron. This is a horrible nightmare for any family to go through, especially a family which only recently suffered the heartbreak of losing a loved one; Ronan's father, Brian who passed way away two years ago. In particular, I pay tribute to Nuala Kerr for the manner in which she has spoken about her son's death. Urging other young Catholics not to be deterred from joining the Police Service of Northern Ireland she stated:

we are striving for a neutral police force for the good of our country, and I urge all Catholic members not to be deterred by this. We all need to stand up and be counted and to strive for equality. We don't want to go back into the dark days again of fear and terror.

It never ceases to amaze me how some people manage to provide inspiration at a time when they have been rocked by grief and tragedy.

Constable Kerr had been in the force only for a few weeks when he was killed but it was clear that he had already left an indelible impression on his colleagues. The PSNI Chief Constable, Matt Baggott, described him as a modern-day hero. His decision to join the PSNI was a testament to his courage and to the strength of the peace process.

It is difficult to find words to express the horror and revulsion caused by the murder of this brave young man, committed to protecting his community. Civic, religious and political leaders have all come together to condemn this atrocity. However, a picture is worth 1,000 words. The sight of senior and local members of the GAA gathered together at constable Kerr's Beragh Red Knights club yesterday sent a powerful message to those responsible for Ronan Kerr's murder to the effect that their acts would not be tolerated. The chairman of the Beragh club, Gearóid Ó Treasaigh, described Ronan Kerr as "a Catholic, an Irishman and a Gael, who joined the PSNI because he wanted to play his part in making our society a better place". Perhaps the Ulster GAA president, Aogan Ó Fearghaíl put it best when he stated: "when one of our members is attacked, and when our communities are attacked, we are all attacked".

As well as the Kerr family, my thoughts are with the people of Omagh at this difficult time. In the words of Michael Gallagher, who lost his 21 year old son in the Real IRA blast which killed 29 people and unborn twins in 1998, Ronan Kerr's murder is a "double insult" to the town of Omagh. That Omagh should once again become the backdrop to another atrocity is unspeakable. Just as the community thought they had put their worst days behind them, they find themselves confronted by more horror.

Apart from its cruelty, one of the most striking things about the murder of Ronan Kerr is its absolute futility. It appears these dissidents believe that by targeting Catholic members of the PSNI young men will seek to leave the service while other young Catholics will be deterred from joining the force in the first place. Ronan Kerr was proof that this strategy will not work. The murder of police constable Stephen Carroll two years ago and the maiming of Peadar Heffron, not to mention the other attempted attacks such as the attach on a woman officer in Kilkeel, County Down, last August, did not deter Ronan from joining. These atrocities did not weaken the resolve of the community and the police force then and they will not do so now.

Figures show that Catholic participation has been increasing at a steady pace since the PSNI was formed in 2001. As the First Minister, Peter Robinson, stated at the press conference at Stormont yesterday, "all they have done is strengthen the institutions that we have, unite our community, bring politicians closer together, and make sure there is a united response in support of the PSNI". The press conference yesterday at which the Deputy First Minister, Martin McGuinness, First Minister, Peter Robinson, the Minister for Justice, David Ford and the PSNI

[Deputy Niall Collins.]

Chief Constable, Matt Baggott, all stood shoulder to shoulder further underlines the futility of the dissidents' strategy. The murder of Stephen Carroll prompted a similar press conference as well as widespread condemnation. Why do these dissidents believe it will be any different this time? How can these people believe they have any real support among the community? Do they really believe their strategy will work? The murder of constable Kerr should not be interpreted as a sign that the peace process is faltering but that it is working well, too well for those who oppose it.

While we express our sympathy to the family of Ronan Kerr and our condemnation of his murder, the best way to stand up to those responsible is to ensure they are brought before the courts of justice. The only way to achieve this is through the provision of information to the police authorities. I echo the calls of the PSNI and the Garda Síochána for anyone with information to come forward. This is an opportunity for people to stand up to the dissidents. I understand that people are scared to come forward. In my constituency in Limerick I have seen how fear can be instilled in a community by those who believe they are above the law. However, those who are afraid should be reminded that they can provide information anonymously. I welcome the fact that Crimestoppers announced today that it is offering a £50,000 reward for information that will help detectives catch Ronan Kerr's killers. It is heartening that following the murder of Stephen Carroll in March 2009, the community came forward with information and it seems a court case may be underway in the near future.

A further concerning aspect is the increased sophistication of the dissidents. It appears their bomb making and engineering capabilities have improved significantly. The PSNI has described as substantial the device that killed Constable Kerr. There is a concern that dissidents are using under-car bombs which are miniature in nature and more difficult to detect. The PSNI is currently examining evidence from the bombing at the weekend and more information will be available in time.

Faced with the growing capabilities of the dissidents, it is important that co-operation between the police forces and justice Departments North and South is maintained at the unprecedented level set by the previous Government. According to media reports, Garda Commissioner, Martin Callinan, and PSNI Chief Constable, Matt Baggott, are liaising closely, while anti-terrorist officers from both police forces are working together in an effort to identify the bombers as well. The words of the Garda Commissioner, Mr. Callinan, during the weekend should leave people in no doubt as to the level of co-operation between the two forces. He stated:

we in An Garda Síochána stand together with our colleagues in the Police Service of Northern Ireland. Our uniforms may be woven from different cloth, but the police on this island are bound together by a shared resolve and determination to bring those responsible for this senseless crime to justice.

As recently as last November, the second formal meeting of the cross-Border criminal justice ministerial group, under the auspices of the intergovernmental agreement on co-operation on criminal justice matters, was held in Dublin. The intergovernmental agreement provides a framework for co-operation on criminal justice matters and provides for at least one ministerial meeting per year between the Ministers North and South who receive reports from a working group made up of senior officials from both jurisdictions. At this meeting the Northern Ireland Justice Minister David Ford stated: "Co-operation between criminal justice organisations on both sides of the Border has never been better." He also pointed out that there is "good day-to-day co-operation across the criminal justice system". Following his first official meeting with his Northern counterpart last month, the new Minister for Justice and Equality, Deputy Alan

Shatter, paid tribute to the excellent relations between the two police forces, stating that he was “struck by the high level of cooperation taking place”. I urge the new Government to continue to support the ever improving relationship between the two forces and I trust this will be matched by a determination at political level to facilitate co-operation in every way possible. I conclude by expressing once again my absolute revulsion at the futile and cold blooded murder of Constable Ronan Kerr. My thoughts and prayers are with the Kerr family at this very difficult time.

Deputy Joe O’Reilly: I wish to share time with four minutes each for Deputy Griffin and I and two minutes for my constituency colleague, Deputy Sean Conlan. I take this opportunity to offer my sincere condolences to Nuala, Ronan’s mother, to Cathair, Aaron and Dairine. They lost a son, a brother and a friend and the PSNI has lost an excellent officer. Go ndéana Dia trócaire ar a anam. At 4 p.m. last Saturday, the PSNI lost one of its newest members, 25 year old constable Ronan Kerr. Ronan was in the service only for a few months when his life was cruelly taken from him in a barbaric act by individuals who can only be described as enemies of peace. The bomb was the size of a lunch box and weighed 500g but it was enough to fatally injure the young constable. As a representative of a Border county, I can say without hesitation that this heinous act has been met with abhorrence across the Border, North and South. The actions and views of the individuals who carried out this attack do not represent the feelings of the majority of people in the North or in the South. A Facebook page dedicated to the memory of Ronan has already attracted more than 24,000 people. That is an indication of the level of condemnation of the atrocity by members of the wider public. Young Unionists and republicans in Northern Ireland wear their PSNI uniforms with pride, and rightly so, as they represent all that is positive about the ethos of the Good Friday Agreement and the continual striving for peace in Northern Ireland.

The Taoiseach, Deputy Enda Kenny, said:

Those who carried it out want to drag us back to the misery and pain of the past. They are acting in defiance of the Irish people.

I fully endorse that statement.

Those who carried out this crime have no place in the future of either Northern Ireland or the continuing work that is being done by the peace process. They betrayed their community and those who have strived for peace in the North for decades and in recent years. They will not and must not succeed in quenching the democratic will of the people of the North.

Dr. Seamus Hegarty, Bishop of Derry, has pleaded with any young Catholic person considering joining the PSNI not to be deterred from serving the public and his or her community. We must do everything in our power to prevent us going backwards. The radical ideas of the past do not reflect a united vision for the future, which is what we need. The peace process got its ultimate endorsement in the massive endorsement, North and South, of the Good Friday Agreement. This Agreement needs to be constantly worked on at community level. It needs an exchange of visits between people North and South, an interaction by communities and schools, further injecting of moneys and the building of communities North and South.

The best and ultimate tribute we can pay to Constable Kerr is that we will work for peace, build peace in our own communities and build links between the North and the South. A start has been made this evening and working to build peace is the ultimate tribute in how we can best respect the memory of Constable Kerr.

Deputy Brendan Griffin: The cruel murder of Constable Ronan Kerr in Omagh on Saturday has once again reminded us of the need to convey the pointlessness of violence as a means of political change on this island.

[Deputy Brendan Griffin.]

Ronan Kerr, like myself, was a child of the 1980s, a decade that saw some horrendous atrocities carried out on this island in the name of one cause or another. Us children born in the 1980s are the youngest who can still recall the darkness and despair of the Troubles. Ronan Kerr would have been eight years old when the first IRA ceasefire was announced in August 1994 and was 12 when the real IRA bombed his hometown of Omagh killing 29 innocent people and an unborn child in 1998. The children of the 1980s hope that we are the last to witness the depravity that has plagued this island for decades. It is our hope that those born after the 1980s will never see what we can still recall from our childhood.

Ronan Kerr was one of us and from what I have learned in the past three days he was a patriot and a man who believed in the rule of law, fairness and equality. It is galling that we are once again visited with the shock, sadness and outrage of an honourable man slain in the course of his duty to his community. Will those who were responsible for this despicable act of cowardice ever learn that such actions achieve no good for anyone of any ideology, religious persuasion or background.

On my way from Kerry to Dublin this morning I paused briefly at the memorial plaque in honour of Detective Garda Jerry McCabe in Adare. As I read the plaque I thought how pointless was his murder and how sad it is that such pointless acts are still occurring on this island at this time.

There is no popular desire on this island to return to the horror and sadness of the past. The youngest generation on this island wish to live their lives free of the savagery of the past. Those who cannot recall are well aware of the hurt, agony and pain of the Troubles. However, those who are not aware must be reminded.

It is with huge regret that in my maiden speech in Dáil Éireann I offer my condolences to the family, friends and colleagues of Constable Ronan Kerr. Let his death be the last such death on this island.

Deputy Seán Conlan: I wish to express my sincere condolences to the family of Ronan Kerr. This is a great tragedy for the Kerr family and for the people of Northern Ireland. I want to state clearly that the majority of the people along the Border do not share the views of the people who carried out this act. It achieves nothing. It does not bring a united Ireland one day closer. It was a futile act.

I know that Ronan spent some of his childhood visiting his relatives in County Monaghan. Along with Border people I was in Beragh yesterday evening. What has happened is a disgrace. I hope if one thing is learned from this it is the futility of what has happened. We can never go back to the days of the past when these events happened on a regular basis. It serves no purpose. Nobody wants it.

I express my sympathy on behalf of my constituents and the people of County Monaghan on the death of Ronan.

Acting Chairman (Deputy Ciarán Lynch): Before I call Deputy McDonald, I remind the House that the Standing Order provides that a Minister or Minister of State should address the House at 6.45 p.m. However, I understand the Tánaiste wishes to have 12 minutes speaking time, which affords Deputy McDonald three additional minutes.

Deputy Mary Lou McDonald: I will be mindful of the clock. I join in the expressions of sympathy to the Kerr family at this dark and traumatic time for them. Our thoughts and prayers are with the family, friends and colleagues of this young police officer.

Ronan was just 25 when he joined the new policing service in the North of Ireland last May. In a spirit of public service he joined the PSNI to both protect and serve the community and to define and create a better future in a peaceful and equal society.

Ronan represented a new generation of Irish youth. I call them the peace process generation, a generation eager for change, filled with belief and confidence and ready to take on the challenge, however great, to achieve that change, a generation determined to draw a line under the past with its conflict and injustices and to create a new Ireland.

The many public tributes to Ronan give us the measure of the man. A beloved son and brother, a respected member of his local community and a member of the GAA from the age of five and through his club, Beragh Red Knights, he made a significant contribution to Gaelic sports and culture. His death is a huge loss to his club, community and county of Tyrone.

Those individuals who orchestrated and carried out this act offer nothing — no direction, no hope and no regard for republican values, which they have sought to debase through Ronan's murder. They have betrayed the community. They set themselves above and against the will of the people of Ireland. No cause is served by their actions. There can be no shelter or succour given to the perpetrators of this act. There is no rationale or excuse — such as that of misguided loyalties — to prevent anything other than full co-operation with the PSNI and the Garda Síochána in their pursuit of those individuals.

The efforts of a small group of people to promote division and conflict will fail. They will not thwart our determination to bring about political change, they will not blunt the people's demand for a new Ireland and they will not subvert republicanism for their own narrow selfish ends because we will not allow them to do so. The process of peace-building will continue. The Sinn Féin position in respect of this killing and all other such actions is unequivocal: our condemnation is absolute. All attacks of this nature are wrong and cannot be justified. Sinn Féin supports the efforts of the police service in bringing those responsible before the courts.

The North has changed and continues to change. The new political dispensation, so painstakingly and courageously built over a long period, is supported by the majority of citizens across Ireland. A new era, with a new civic and accountable policing service, is a key component of this. Young Nationalists and republicans must continue to take their place in the PSNI. We, as politicians, have an obligation to ensure this remains possible. That makes it all the more urgent that the Government should address with the British authorities their unilateral decision to remove the 50-50 recruitment relating to the PSNI.

Our political direction can be only forward. There will be no return to the past. The war is over. People across Ireland, particularly those in County Tyrone, are very angry. Today, we condemn the murder of Constable Ronan Kerr and we unite in solidarity with his heartbroken family. However, we must do more than that. Rhetoric is not enough. Horror and revulsion, though understandable, are also not sufficient. The peace process, the process of power-sharing and the all-Ireland political institutions must be defended.

I am heartened by the Taoiseach's commitment to defend the peace process and to ensure the full implementation of the British-Irish Agreement and the St. Andrews Agreement. He must live up to that commitment. The Minister for Justice and Equality and everyone else must understand that it is the political process and the triumph of democracy which will see off these fringe and minority elements who have turned their face against the peace process. Irish republicans have charted a peaceful and a democratic path to Irish unity. They have been architects of the peace process and they will defend it against all comers.

Constable Ronan Kerr rest in peace. Ar dheis Dé go raibh a anam dílis.

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): As a previous speaker stated, this is the type of discussion in which we had hoped we would never be obliged to engage again in the House. I join Members from all parties in turning my thoughts to Ronan Kerr and his grieving family. We offer our profound sympathy to Ronan's family, his friends and the PSNI on the loss of a beloved son, brother, friend and colleague. Members all share the sense of loss.

Ronan Kerr was a young and public-spirited man. On Saturday last, the evil actions of a few deprived the people of this island of a fine Irishman and a committed public servant, a policeman who sought to devote himself to the protection and well-being of his community. His murderers robbed Ronan of his life. They robbed Ronan's mother of her son and the happiness that had come with seeing her child grow to maturity and fulfilment. The individuals to whom I refer robbed Ronan's brothers and sister of the love and companionship of their big brother. However, they also robbed every one of us on this island of the potential which Ronan's life held and all that his life might have been.

We in this House stand together to make clear our absolute condemnation of this crime and of those who committed it. The unity of the message which has come from those on all sides of the Chamber is unsurprising and reflects the genuine shock, sorrow and disbelief of those we represent that such an atrocity should occur. We stand together with people from all sides of the community in Northern Ireland and with their elected representatives. Once again they have shown their strength of purpose and their determination to preserve and protect the peace which has been achieved on our island. Once again this House has shown its determination to work tirelessly to ensure this island which we all share will have an ever hopeful future and that we will not be dragged back to the violence of the past.

On Sunday last I spoke to the First Minister, Mr. Peter Robinson, MLA, and the Deputy First Minister, Mr. Martin McGuinness, MLA, and I am aware that the shared sense of purpose, North and South, is deeply valued. I also spoke to the Secretary of State, Mr. Owen Paterson, on Saturday last. As co-guarantors of the British-Irish Agreement, the Irish and British Governments will continue to work together to support the Executive in order to ensure that the potential of the Agreement for a shared and better future will be fully realised. This tiny minority, without conscience or mandate, will not be allowed to deflect or deter the work of a generation of Irish men and women.

Ronan Kerr chose to build a career in a transformed police service increasingly representative of the entire community and supported across the political spectrum. It is this very openness — this positive change — that Ronan's murderers fear. As a result, they seek to deny change through callous acts of violence and intimidation. However, they will not succeed because the ordinary men and women of this island will not allow them to do so. We will not be bullied back down the blind alleys of the past. We the people of Ireland, North and South, set our course for change when we adopted the British-Irish Agreement. We opted for peace, reconciliation and a shared future within agreed political structures. We took our decision democratically, through the ballot box — that most definitive, effective and enduring of all political weapons.

I join Ronan's brave mother, Nuala, in her call for us all to "stand up and be counted". We will stand up together, whether northerner, southerner, Nationalist, republican, Unionist, loyalist, Catholic, Protestant or none of the above. We will stand up together for peace for ourselves and our children, for justice for Ronan Kerr's family and in support of the men and women in the PSNI and the Garda Síochána. I join all of those who have called on anyone with information about Ronan's murder to contact their local police force. I echo the Kerr family's message to Catholic and Nationalist members of the PSNI not to be deterred by this attack.

On behalf of the Government, I encourage men and women on all sides of the community in Northern Ireland, but particularly those from the Nationalist and republican traditions, to continue to apply to join the PSNI — their own police force, an Irish police force — in ever-increasing numbers. I encourage their families and their communities to support them and to be rightly proud of any son or daughter who wishes to play his or her part in assisting and protecting their fellow citizens.

Those who murdered Ronan will undoubtedly attempt to style themselves as republicans fighting for Ireland. It is difficult to express the anger and sadness which such a claim evokes in any genuine patriot. To commit violent acts in direct contravention of the democratically expressed will of the people of all 32 counties of the island is perverse. To claim to be opposing British rule by seeking to undermine the constitutional and political settlement freely chosen by the people of Ireland — and them alone — is absurd. To assert that the goal is a united Ireland when every action aims to divide is illogical. What is the Ireland these people seek to build? I have no answer and neither do they. They can only destroy, maim and frighten and have not the stomach or the skills for the real work of nation building.

Those of us who truly aspire to unite all the people of this island, in all the diversity of their identities and traditions, know the path. It is one of peaceful means, compromise and political persuasion. It is neither glamorous nor quick but it is true patriotism. True republicanism does not seek glory or expedience but looks to the national interest and to the good of the citizen. Constable Ronan Kerr epitomised many of the ideals of our republic. We will not allow those who murdered him to besmirch the name of Ireland or its citizens by wrapping a green flag around their shameful act.

I have seen at first hand the deep well of goodwill and support for the peace process that exists beyond these islands, and particularly in the United States of America. Secretary of State Clinton and the Friends of Ireland congressional group have condemned the murder of Ronan Kerr in the strongest terms and made clear their unstinting support for Northern Ireland's political leadership and the peace process. I draw the attention of the House to the words of Congressman Richard E. Neal who, I believe, perfectly captures the feelings of Irish people at home and abroad. He stated:

Those responsible for this murder are cowards. If these criminals think they are going to turn back the clock and stop the change that is happening across Northern Ireland they are mistaken. They have no support on the island of Ireland and they have no support in the United States of America. Quite simply, they are on the wrong side of history and they must be brought to justice. The overwhelming majority of the people in Northern Ireland support the democratic institutions and want peace and reconciliation. The United States supports their hopes and aspirations during this sad and difficult hour. We will continue to stand with them as they work together to transform their society and to build a shared future.

This evening, all of us in this House have expressed that willingness to stand together. I note the comments of Deputy Martin, who said we want to send a clear message. I thank him for his support of the Government in any measure needed to combat those who are responsible. Earlier today, Deputy Martin and others proposed that an all-Party motion be tabled. I understand arrangements are being made to do that tomorrow. A draft is in circulation and I think it will be agreed formally. It will express the unanimous and strong views of the House condemning the murder of Ronan Kerr, expressing our sympathy with his family, friends and colleagues and calling for those responsible to be brought to justice.

I listened to the contribution of Deputy Adams, who also unequivocally condemned the murder. I heard his comments recalling his party's offer to meet some of the groups who reject

[Deputy Eamon Gilmore.]

the Good Friday Agreement. That offer is helpful and should be supported. There can be no doubt of where Deputy Adams stands on this issue. I heard his comments.

It is clear that the House strongly and unanimously condemns this murder and supports the efforts of the PSNI and the Garda Síochána in bringing those responsible to justice. I expect that, tomorrow morning, we will agree the motion reflecting those sentiments.

I thank all Members who contributed to the debate.

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

Private Members' Business

Bank Bailout and EU-IMF Arrangement: Motion

Deputy Richard Boyd Barrett: I wish to share time with Deputies Maureen O'Sullivan, Joan Collins, Stephen Donnelly, Luke Flanagan and Finian McGrath.

Acting Chairman (Deputy Thomas P. Broughan): Is that agreed? Agreed.

Deputy Richard Boyd Barrett: I move:

That Dáil Éireann:

recognises that:

- the bank bailout and the EU-IMF loan package arrangement imposes a hugely onerous debt burden on Ireland which will have profound consequences on the Irish economy and Irish society for years to come;
- there is widespread and justified outrage felt among very wide layers of Irish society that ordinary citizens, and most particularly those on low and middle incomes and the vulnerable in our society, are being forced to pay for the speculation and gambling of bankers, bondholders and developers by way of swingeing cutbacks and austerity;
- a wide body of civic, political and expert opinion, both nationally and internationally, believes that the debt burden arising from the bank bailout, the EU-IMF package, and the conditions attached to the package in the memorandum of understanding, are economically unsustainable or potentially will become so, and will damage rather than enhance our country's prospects for future economic growth;
- EU treaties signed by this country, with arguably far less grave or immediate effects for our economy and society than the EU-IMF package, have been put to referendum;
- faced with a similar crisis to that in this country, the people of Iceland demanded and won the right to a referendum on a proposed IMF loan package;
- recent developments in Portugal confirm that the financial and economic crisis now facing Ireland is very much a Europe-wide problem and that wide layers of society in other European countries are questioning the current EU approach to dealing with the banking and financial crisis;
- the Pact for the Euro agreed at the recently held EU Council summit and the strengthening of EU powers for monitoring the economic and fiscal policies of member states, particularly those involved in the European Stability Mechanism (ESM) and the pro-

posed European Financial Stability Mechanism (EFSM), have potentially profound effects on the ability of EU member states and their citizens to decide their own economic policies; and

- there is an overwhelming democratic case for putting the continued bank bail-out and an agreement with such profound implications for the economic and social future of our country to a referendum of the people; and resolves to call a national referendum providing the Irish people the opportunity to accept or reject the bank bailout and the EU-IMF loan package arrangement.

I appeal to the one member of the Government who has turned up for this debate——

Deputy Colm Keaveney: Pardon me.

Deputy Richard Boyd Barrett: My apologies, I did not see Deputy Keaveney.

I appeal to the Government to withdraw its amendment to the motion and allow, as the motion calls for, a referendum to be held on the continuing bailout of the banks and the EU-IMF deal. The Government will be aware, as is I am sure everyone in the country, that we are facing the most grave economic crisis in the history of the State. Hundreds of thousands of people have lost their jobs, while tens of thousands have been forced to emigrate. Brutal austerity measures are being imposed on ordinary families, working people and the poor and vulnerable in Irish society whose incomes have been savaged, while services have been cut. Many families are threatened with repossession of their homes. People are not able to pay their bills or make ends meet.

It is important to point out that the people suffering the consequences of this austerity which is being dictated by the IMF are not bankers or speculators but individuals who have worked and reared families and are now trying to enjoy their old age. They did not cause the crisis, yet they are being asked to pay for the criminal greed of bankers and speculators. This is often obscured in technical economic argument. It is often suggested this is a complicated matter, one above the heads of ordinary people. However, it is a simple one. It is about whether ordinary working people, families, communities and the vulnerable in our society, including the young and the old, should pay for the crisis created by the reckless gambling and speculation of bankers and bondholders or whether the bankers and bondholders who caused it should pay for it.

Before entering government, Fine Gael and the Labour Party were unequivocal about on which side of the debate they stood. In February Fine Gael stated it was morally wrong and economically unsustainable to ask the people to beggar themselves to enrich speculators and profiteers. What has changed? With another €24 billion being pumped into the banks, the case for saying we should not beggar ordinary citizens country to enrich bankers and speculators is even greater than it was when Fine Gael made that statement. If it was morally wrong and economically unsustainable to pour €46 billion into the banks, surely it is even more morally wrong and economically unsustainable to put €70 billion into them.

It is a pity the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Eamon Gilmore, is not here. He went further in stating his view of the case when he said for the second time earlier this year that the previous Government was guilty of economic treason for continuing to bail out the banks at a cost to taxpayers. It is worth quoting what he said: “If your Government [talking about the previous Government] knew that Anglo Irish Bank was insolvent and you asked the Irish taxpayers to bail it out and to pay the cost we are now paying for it that was and is economic treason ... I stand over that.” If it was economic treason to bail out an

[Deputy Richard Boyd Barrett.]

insolvent bank at the expense of taxpayers, is it even greater economic treason to bail out all of the banks at greater cost to ordinary taxpayers?

I put to the Government the charge which the Tánaiste, Deputy Eamon Gilmore, put to the previous Government, namely, that it is guilty of economic and political treason for saying one thing before the general election and something quite different afterwards and continuing with the same policies. It is shocking for ordinary people to hear Fine Gael and the Labour Party, given all the rhetoric about change and oh how they would do things differently, sound exactly the same as the previous Government. They are using the same phrases, justifications and arguments for defending a continuation of the failed policy of bailing out the bankers, speculators and bondholders. Whenever these points are put to the Government, it states there is no alternative. We believe there is. If we were to threaten to default, this would put the ball back in the court of the IMF and the European Union, the ones who are trying to dictate to us who should pay for the banking crisis. We must put it up to them that if they wish to save the euro and the banks, they should pay for it and unload the cost of so doing onto the banks, bondholders and speculators guilty of causing the crisis in the first instance. By standing up to them and threatening to default we would at least force the ball back into their court and put it up to them to come with a fair, just and sustainable package to deal with the crisis.

It is important to point out that other countries have defaulted and that the sky has not fallen in on their heads. Iceland defaulted. As a result of campaigning by ordinary people for months, the Icelandic Government was forced to concede default. The Icelandic people, because they were outraged by the thought of this type of package being imposed on them without their having any say, took to the streets, surrounded their Parliament and demanded a referendum on whether to accept a similar package from the IMF. In a referendum they voted by a figure of 93% against a similar deal and the sky did not fall in on their heads. The IMF was forced to consider the outcome of the vote and reduce by a significant amount the interest rate it was charging Iceland. I am not suggesting that is the end of the story for Iceland, but the referendum outcome forced a change and debate. Other countries that defaulted, including Ecuador and Argentina, are still alive and kicking. The sky has not fallen in on their heads. If we leave the European Union to its own devices, as the Government is proposing to do, it will squeeze us. It will use the debt burden it is imposing on us to squeeze more concessions out of us in terms of the agenda it is pursuing. That is clear from what happened in the case of Greece.

The Government states it will negotiate a 1% reduction in the interest rate charged on this unsustainable package. To achieve a 1% reduction in the interest rate applied to its loan, Greece had to agree to a €50 billion programme of privatisation. Will such a programme be the *quid pro quo* required of the Government in the event that it manages to wangle a tiny concession from the International Monetary Fund and European Union in the forthcoming negotiations? The Government has already been forced to agree to sell State assets worth €2 billion. What will the IMF and EU demand at the next round of meetings if they are not satisfied that Ireland is doing enough or believe it will not be able to repay its loans? What will they seek in return for a small reduction in the interest rate on our loans? How many more privatisations of State assets will they demand? How many more cuts in social welfare and the incomes of ordinary people will they require? Is the Minister aware that at its most recent meeting with the IMF and EU, the Greek Government was told by the IMF-EU representative to start selling beaches and islands. Is this what the Government wants for Ireland?

While some of the Technical Group may differ from me on what are the alternatives, there are other options available. It is unconscionable that the Government refuses to reverse budget cuts which took €6 billion from ordinary people and the vulnerable given that just a few weeks

ago we discovered that the 300 richest people in the country are €6.7 billion richer than they were last year. Why will the Government not consider introducing a wealth tax? Why will it not even agree that such a tax would be fair?

While the Government and even some members of the Technical Group will not agree with many of the points I have made, surely they accept that it would be democratic to have a referendum on the bailout. The purpose of our call for a referendum is to enable people to debate the options and allow everyone to set out their stall in order that the country can make a decision on the issue. Does the Government not trust people to consider this matter objectively and make the best decision for the country? This is what democracy and the motion are about. I ask the Government not to move its amendment and instead allow citizens to vote on the bailout package which will determine their social and economic future for many years to come.

Deputy Maureen O’Sullivan: If our circumstances were not so serious, I would be tempted to cite the line frequently used in Laurel and Hardy films on this being another fine mess.

The motion before us is about democracy and allowing citizens to decide what they will pay for the foreseeable future. The country faces a massive debt. Notwithstanding the Government’s argument that the recent general election was a referendum, the goalposts have been moved because it has made a number of U-turns on the election commitments for which people voted. For this reason, it is vital that a referendum is held on the bailout.

Under Article 27 of the Constitution, taking the referendum route to have legislation overturned is onerous. It is a comment on how we value democracy that the system in place for this option is so complicated, involving as it does a majority of the Seanad and not less than one third of the Dáil petitioning the President if it is considered by them that a Bill contains “a proposal of such national importance that the will of the people thereon ought to be ascertained”. The bailout is an issue of extreme national importance. The figures suggested by various economists on the cost of the bailout for each citizen are staggering.

It is difficult to consider this motion separately from the stress tests for banks and bank restructuring plans announced last week. While newspaper headlines tend to be sensational by nature, some of those that I have read contain an element of truth. They include such headlines as “Only a miracle can save the financial system from complete meltdown”, “Disastrous world of Irish banking”, “Ireland has lost the capacity to borrow”, “Frankfurt’s way prevails as harsh economic reality confronts Noonan”, and “Bondholders escape as €24 billion put into the banks”.

I accept that we need money to pay our bills, including salaries, wages and social welfare. However, given the nature of the terms and conditions of the bank bailout and EU-IMF package, the nation must have a say. While every citizen will pay, some will pay more than others. Those who will pay most are the people on lower and middle incomes. The bailout will not make an appreciable, proportionate difference to the wealthy who live abroad for certain times of the year to avoid paying taxes, disposed of shares just in time or transferred property into the names of family members or out of the country. The vulnerable and disabled, on the other hand, will pay heavily.

Senior bankers who held positions of responsibility during the banking bubble and who are now on bank boards remain *in situ*. The Financial Regulator announced that he intended to conduct a fitness and probity assessment of all members of bank boards but not until the beginning of next year. In the meantime, the bankers in question may decide to resign to avoid undergoing such an assessment and will, without doubt, receive extremely lucrative pensions and severance packages should they do so.

[Deputy Maureen O'Sullivan.]

During Leaders' Questions Deputy Ross asked the Taoiseach a significant question, namely, why private debt has become public debt. Why has a protective curtain, almost like an iron curtain, come down around the senior bondholders? The nature of their investment implies risk. When they made profit on their investments were they pouring money into the State or rewarding it in any way? When they lost money did they take the loss? They did not do so because the people of Ireland, who are not being given a say in the matter, did so on their behalf.

I have read the Government amendment and I accept a radical restructuring of the banking system is necessary to ensure they become viable. The IMF-EU bailout is not the way forward, however, as it is too harsh. Ireland will not survive by continuing to take emergency loans from the IMF and EU. In the previous Dáil, I spoke about how IMF actions contributed to the destruction of economies in Africa, Asia and South America. The measures applied included the imposition of strong limits on public expenditure and the pursuit of excessively strict monetary policies.

I welcome the section of the amendment regarding the Government's commitment to protect ordinary depositors. Its final point on a jobs fund to support employment growth and sustainable enterprise appears paradoxical, however, given that it is juxtapositioned with a reference to the EU-IMF programme.

On the most recent capitalisation, I note the statement by the Governor of the Central Bank, Professor Patrick Honohan, that it does not score well on fairness. Fairness would be served if citizens had an opportunity to express a view in a referendum and have their say on whether the EU-IMF agreement will lead the economy on a sustainable path. When a referendum was put to people in Iceland, it resulted in change.

The €70 billion price tag of the current crisis makes it one of the costliest crises in history. Ireland is used to making history for positive reasons, whether through our achievements in sport, the arts or humanitarian work. I support the motion because it proposes to give people a say in their destiny.

Deputy Joan Collins: The Taoiseach claimed the general election was a referendum on the EU-IMF deal and the four year programme put forward by the Fianna Fáil-Green Party Government. If that is the case, the people have spoken by resoundingly rejecting the deal and the programme of the previous Government. In that case, why is the Government pursuing exactly the same insane policies pursued by the previous Government?

Everyone knows the current policy cannot and will not work. Bailing out the banks to the tune of €105 billion effectively means 400,000 workers will pay taxes for their entire working lives to cover the cost of the bailout. In other words, 20% of the workforce will be enslaved for their entire working lives paying back the debt through their income tax.

The amendment refers to breaking the "massive dependence of the banks on the State" and the separation of "bank risk from that of the Sovereign". This is drivel, as the Government and international money lenders are well aware. Every time the insane step of pouring billions of euro into sovereign banks is repeated, the risk of sovereign default increases. The possibility of such a default raises major issues regarding the banks and markets. First, it will be impossible for the State to exit the EU-IMF deal in 2013 or 2014 and borrow at reasonable rates on conventional money markets. We will be forced into the 2013 EU bailout package which involves debt restructuring. This will expose Irish banks which hold €11 billion in Irish sovereign bonds and €11.5 billion in NAMA bonds.

Second, the banks are reliant on the State guarantee. Can the Central Bank maintain emergency liquidity funding?

Third, major questions arise regarding Ireland's ability to grow out of the current crisis. International patterns indicate that ten years of slow growth is the norm following a banking crisis. The point is proved by the ten years of zombie banking and economic stagnation experienced by Japan following its banking crisis. The only way to break the link between the sovereign and bank debt is by renouncing the private debt of the banks. We should establish a State banking system to take over the assets, boards and workforce, leaving the debts to those who took the risks in their chase for super profits. This Government came to power on a pledge to renegotiate the IMF-EU deal. Even the current Minister for Finance, Deputy Noonan, called it an obscenity. The Government came to power on a pledge to burn the bondholders and have burden-sharing. Now we are told that debate is over, but may I ask what debate occurred? Was it the Taoiseach's chat with Angela Merkel or Nicolas Sarkozy? Or was it the Minister, Deputy Noonan's, chat with Jean-Claude Trichet? Was that the debate? The way to have a debate is to put the matter to the people, which is why I support this motion. Let the people speak.

Deputy Finian McGrath: I congratulate the new Minister of State, Deputy Brian Hayes, on his appointment. I note that there are only three Members on the Government benches: Deputies Brian Hayes, Colm Keaveney and Derek Keating. I welcome their presence in the Chamber but it is a shame nobody else represents Labour or Fine Gael, particularly the so-called new kids on the block.

Deputy Colm Keaveney: Or Fianna Fáil.

Deputy Finian McGrath: No Fianna Fáil. Absolutely. Notable by their absence are those who promised change in Irish politics and Dáil reform, so we have a long way to go.

I am grateful to the Acting Chairman for the opportunity to contribute to this important debate on the urgent need for a referendum on the EU-IMF loan package scheme. Before going into the details, I should highlight the amount of stress that some politicians, senior bankers and developers have caused our people. They have tortured our citizens and now we are all suffering the consequences. They have left the poor, the unemployed and others with major economic and social problems, and now we all have to try to clean up the mess. It was a scandal, a shame and a crime against the people for which those responsible should be jailed. There should be no fence-sitting on this issue: those people should be charged, prosecuted and jailed.

Our country is being dictated to and controlled by the European Union and the International Monetary Fund, not in our interests but in the service of global finance houses. Our children and future generations have become virtual indentured labour for as long as it takes to pay off the debts of a speculative clique or golden circle that has controlled our country. They will sell off more and more of our public companies and assets, including our natural resources, in their efforts to pay back money owed to these bankers.

As people will appreciate, the crisis is not about sovereign debt but has resulted from the socialisation of the private debt of financial institutions and developers. That is the truth. Despite it not having been the people's fault, the State — supported by the European Union and the International Monetary Fund — is imposing a continuing transfer of billions of euro in national wealth from the people to domestic and international banks in regressive tax increases, cuts to services, pay cuts, redundancies, an assault on workers' pension entitlements and the National Pension Fund, and through the disposal of national assets. Far from being sovereign debt, this is the illegitimate and odious debt of a handful of private financial insti-

[Deputy Finian McGrath.]

tutions and developers and a corrupt political establishment that was taken on by the State against the people's wishes. On this most critical issue, the people have not been consulted, which is why I demand a referendum. Instead, we have suffered a circus of political commentators and so-called experts presented to us by State and private media. We should face up to the fact that there is not an informed debate going on. Look who controls many of our national newspapers.

I commend my colleagues in the technical group for having tabled this motion. The details show that the bank bailout and the EU-IMF loan package arrangements impose an onerous debt burden on Ireland which will have profound consequences on the economy and society for years to come. There is widespread and justified outrage across a wide spectrum of Irish society. There is an overwhelming democratic case for putting the continuing bank bailout and EU-IMF agreement to a referendum, given the profound implications for the economic and social future of our country.

The motion "resolves to call a national referendum providing the Irish people the opportunity to accept or reject the bank bailout and the EU-IMF loan package arrangement". That is what this debate is about. The technical group is putting it up to the Government and to Fianna Fáil on these issues.

We have not yet heard about bank staff, many of whom will probably get the boot from their jobs in the next six months. Low-paid staff in various banks will be affected and there is major concern among them. I fully support the Unite trade union's campaign to defend jobs and services in the banking sector. We must also consider what some bankers have done to small businesses. More than 200,000 jobs in local communities around the State are now being hammered and we may expect 20,000 or 30,000 people to lose their jobs as a result.

Last week, we saw how the Government — shame on the Labour Party — still supports the universal social charge, which is an unjust and regressive tax. It is important to highlight these issues. The Irish people should have the right to decide this issue. I reject those who say that as we have had an election and the current Government has a mandate on this issue. It does not. It got a mandate to do the opposite. It is time for Members of this House to stand up for democracy and for the people, including the unemployed and weaker sections of society. It is not fair that they should have to suffer the consequences.

Acting Chairman (Deputy Thomas J. Broughan): There are just over 13.5 minutes left for the technical group's presentation, so Deputies Luke "Ming" Flanagan and Stephen Donnelly will have more than six minutes each if they wish.

Deputy Luke 'Ming' Flanagan: Thank you, sir, but I will not need six minutes because much of what I had planned to say has already been said. It has also been said by nearly everyone I meet on the street and socially. They all seem to say the same thing. Until one is in Government one also seems to say the same thing — that we cannot afford this bailout. I would not support a referendum on this issue if the Government parties had done what they said they would do. Labour famously said it was either their way or Frankfurt's way, but they did not put up much of a battle there. As far as I can understand it, Fine Gael promised us limited burden sharing. It then copperfastened that by running Mr. Peter Mathews as a candidate, who agrees with nothing it plans as far as I can see.

The long and short of it is that we cannot afford to do what the Government plans. Those who claim that we cannot go down this road are told there is no alternative. There is an alternative, but it will also be difficult. It is similar to discovering that one has cancer, which leaves a person with two horrible choices. The first is to face up to the fact and go under the

knife, as well as getting chemotherapy and radiotherapy. One might survive the treatment but there is no guarantee. That is what defaulting would be; there is no guarantee at the end of it but at least one would have some hope. The alternative is to ignore the cancer, saying “It’ll be all right. At least you won’t have to go to hospital for a year. You might survive for another year after that and at least you wouldn’t have to put up with the pain of the knife”. The pain of death would be much worse, which is what the Government has opted for. It says it cannot do the right thing because it will be too painful in the short run, but in the long term what the Government plans will cost us much more. It will cost us the ownership of our forests, rural schools and a decent health service. It will cost us so much that it will destroy this country. For that reason I support a referendum on this issue. I understand it would not be simple to hold a referendum; we would have to do a variety of things for that to happen, but where there is a will there is a way.

If the Government had done what it said it would do, I would not support a referendum. We have just had an election and the people had a chance to speak. The problem is that the people spoke on the basis that Labour and Fine Gael would do something different to what they now plan. Because of that, we need a referendum. If it is put before the people — with a choice between supporting the gamblers who took a risk and are now being sorted out by their friends in Europe, or having an extra special needs assistant, or being able to see a urologist for the first time in more than two years — I know what decision they would make. If the Government is that definite it has made the right choice, why not put it to the people to find whether they will support it on this? The Government has not put this to them before. It did not put it to them that it would become the new Fianna Fáil, which is what it has become. The Government should put the following question to the people, namely, do the people accept it is okay for Fianna Fáil and the Labour Party to become Fianna Fáil or do they not?

Deputy Stephen Donnelly: The motion before the House is that the Irish people should decide whether they are willing to pay back the private losses of wealthy investors and European banks. The motion is not that the Irish people should not pay these losses, it is whether they should be given the choice to pay them. The Government claims the people were given this choice in the recent election. In the Chamber today, the Taoiseach referred to the large Government majority and the mandate this brought with it. In regard to paying back the losses of private investors, this is not true. The people voted for the Government based on what its candidates said during the election, as we heard in the House today.

Fine Gael previously claimed: “The banks aren’t getting another cent. Anglo Irish Bank is not getting another cent of our money. Not another cent.” As Deputy Luke ‘Ming’ Flanagan pointed out, the Tánaiste, Deputy Gilmore, said that when it came to the banking debt it would be Labour’s way or Frankfurt’s way. That is unambiguous language. Had I voted for either Fine Gael or Labour, which of course I did not, I would be pretty sure I was voting for a major push-back on the bondholders. Last week, however, we discovered this was not to be. We discovered that, when it comes to paying unguaranteed senior bondholders, the new Government’s policy is to continue Fianna Fáil’s policy.

The Government now talks about the Irish people not bearing 100% of the burden — that is the language we hear in this House. Unfortunately, what the Government is not saying is that the Irish people will instead bear the vast majority of this burden, which is clearly contrary to what the people thought they were voting for. This is why we need a referendum. The amounts of money are so big, and the moral argument so abhorrent, that the Irish people have a right to decide. They thought they were voting for this policy but it has vanished.

We learned in December last that the previous Government, whose Members are conspicuous by their absence from the Chamber, had already paid back more than €70 billion to bond-

[Deputy Stephen Donnelly.]

holders. We know there is still €35 billion of unguaranteed bonds to be paid, which brings the total to at least €105 billion, or over €80,000 per household. As we are borrowing that money at 6%, this means every household in Ireland is paying €5,000 a year just to service the interest on these debts. For the Irish people to pay back €105 billion of private losses would be the equivalent of the French paying €1.3 trillion or the Germans paying €1.6 trillion. I had a conversation with an MEP during the week who said that if the French people were asked to pay €1.3 trillion of private losses, they would burn down the Champs-Élysées. Yet, the Irish people are being asked to accept this.

I believe the Government would prefer not to pay this money. I believe the Minister, Deputy Varadkar, and the Tánaiste, Deputy Gilmore, meant what they said, namely, that they would prefer not to pay it. Why, therefore, are we doing this? We understand from Professor Honohan that the Europeans have threatened us because he told us this in an interview last Thursday. He confirmed that, should we choose not to pay the investment losses of others, “there will be consequences.” He explained that paying the remaining €35 billion was about “expediency and calculation”. This is not a marginal policy decision. Paying back the remaining €35 billion amounts to a debt of €27,000 for every household in Ireland. Therefore, what we will be saying to members of the public is that even though they cannot afford petrol for their car, to pay their rent, to service their mortgage or to deal with cuts to disability allowance, we will not help them. However, if they are foreign billionaires who gambled on Irish banks but should not have, not only will we help them, we will cover their entire loss and pay them profit. We will pay not just the total amount of the bond but we will pay the interest earned on that bond. I do not believe that is who we are as a people because it is clearly abhorrent.

To the best of my knowledge, this type of transfer of public money to private losses has never been undertaken anywhere in the world throughout history. I cannot figure out why it is happening here. We know there is no moral argument for this. The only argument is whether we should pay the money and not have the Europeans threaten us or should we not pay the money and accept the consequences of whatever the Europeans have threatened to do. Professor Honohan said we have weighed up those options and believe the consequences of what Europe would do to the Irish people are worse and, therefore, we will pay back on the bonds to foreign investors. I argue, and the reason I support the motion is, that because the money is so big, and the people do not know what these threats are, we have to have an open conversation and decide. The people of Iceland will decide this Saturday and that is what we should do — a referendum would be democracy in action.

The Government’s counter-proposal to the motion is astonishing. First, the Government commends itself on its policy, which in regard to the debt is a continuation of Fianna Fáil policy. Then, it “supports all of the actions necessary for the Irish banking sector to become ... better funded and better capitalised”. While I do not know who wrote that, I presume “all of the actions necessary” includes the servitude of the Irish people. Let us think about it in this way. To pay back €1.5 billion of private losses would be the equivalent of everyone in Ireland working all day every Monday for the next 20 to 30 years to pay back that money because all tax paid on each Monday would be used to pay that amount.

It does not surprise me there are not many Government Deputies in the Chamber as they would find it difficult to face the people who voted for them on the basis they will come to the House tomorrow to vote for the amendment which states that “all of the actions necessary” will be taken. A vote by Government Deputies on the amendment says the following to the people of Ireland, namely, it is okay for the Irish people to continue to pay the vast unguaranteed losses of private investors, it is okay that the Irish people thought they were voting for

something that they were not voting for and it is okay for the Irish people not to have any say in this matter.

For all of these reasons, I call on the Government to hold a referendum. I call on Government Deputies to vote for the motion — in vain, I am sure. I believe a vote for the amendment would constitute a genuine betrayal of the people who voted them in.

Minister of State at the Department of Finance (Deputy Brian Hayes): I move amendment No. 1:

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

- “— commends the Government for taking decisions that will lead to a radical restructuring of the domestic banking system, return the banking system to long-term viability and profitability and break the massive dependence of the banks on the State;
- acknowledges that these decisions will result in the banking system becoming the enabler of economic recovery by restoring public and market confidence in its financial health, management competence and ethical integrity;
- supports all of the actions necessary for the Irish banking sector to become smaller, more focused on core operations, better funded and better capitalised;
- supports the Government’s objective of strengthening overall fiscal accountability by separating bank risk from that of the sovereign;
- welcomes the Government’s restatement of its commitment to protect those whose funds are guaranteed by the Irish State, including depositors and others who continue to support our banks;
- acknowledges the continued high level commitment to the funding of the Irish banking system by the Central Bank and the ECB; and
- welcomes the Government’s commitment to bring forward as a matter of priority a jobs fund as part of its strategy to support employment growth and sustainable enterprise while adhering to the aggregate fiscal adjustment targets of the EU-IMF programme.”

I wish to share time with Deputies Olivia Mitchell, Colm Keaveney, Robert Dowds and Peter Mathews.

Acting Chairman (Deputy Thomas P. Broughan): Is that agreed? Agreed.

Deputy Brian Hayes: I welcome this first motion from the Technical Group. I wish them many years of Private Members’ motions on that side of the House and congratulate them on bringing this motion to our attention.

I agree with the previous speaker that we need an honest discussion on this issue, not a polemic or a sensationalist or charged motion. We need an honest debate about the choices that face this country because they are stark and real. The Deputy is correct in stating it is about weighing up the options and coming to a fair determination as to what is in our collective interest as a people at this time. Pretending to people there is some magic bullet that will resolve this issue is fundamentally dishonest and part of the gombeen politics——

Deputy Luke ‘Ming’ Flanagan: Like your Peter Mathews.

Deputy Brian Hayes: I did not interrupt the Deputy. With respect, I listened to all of his comments.

Acting Chairman (Deputy Thomas P. Broughan): I ask Members to refer to other Members as “Deputy”.

Deputy Brian Hayes: I am not speaking from a script because I do not believe Ministers should do so on Private Members’ business. I am here to listen and I took detailed notes on what Deputies said. I ask for the opportunity to respond in a mature way rather than the type of yaboo, old-fashioned politics this country needs to move away from. I ask colleagues to engage in that spirit. I take this debate seriously and have listened attentively to what Members have said.

We must get back to an honest debate about this issue rather than pretending that a referendum will solve the problem one way or the other. The reality is that it might make the situation infinitely worse. We are in a rolling situation and the Government has had to negotiate in very difficult circumstances. Members are well aware of the enormous legacy we must deal with. We did not take the decision on the bank guarantee in 2008, an open-ended and wrong guarantee which has put this country in a straitjacket. We did not take the decision to put €30 billion of the €46 billion of recapitalisation into the zombie bank that is Anglo Irish Bank. We are left with that legacy from the previous Administration.

It is the clear ambition of the Government to do everything in our power to renegotiate the terms of the EU-IMF deal. Of crucial significance for the Government right now is the necessity to seek a lower rate of interest on the EU portion of the overall package of funding coming into the country over a period of time. That is a live issue. It is an issue we will fight for to ensure we get that reduction in the same way a reduction was secured by Greece. It remains the ambition of the Government to seek a write-down of senior Government debt, but that is not possible at the moment because the majority view is not there within the ECB.

However, a fundamental aspect of the restructuring plan announced by the Minister for Finance, Deputy Noonan, last Thursday was, first and foremost, a very substantial write-down of up to €6 billion on subordinated debt, which will be part of the €24 billion package. In addition, we will demand a sale of the non-core elements of the banking system abroad, which are profitable and successful, at a time when we need that money in this country. We will demand that the banks concentrate on their core work, that is, lending to SMEs and businesses and getting the country running again.

I refute the charge by colleagues opposite that there is no new start from this announcement. This is a radical restructuring of the Irish banking system, with the subordinate debt, with the package of funds — €12 billion on an annualised basis, which will be pumped into the Irish economy — and with the demand that the banking sector shed the non-core international activities in which it became far too involved over a period of time. I refute the notion that there is nothing new in this, that this is not a major and fresh initiative. It is a new start; it is a turning point.

When the previous stress tests were announced the international ratings agencies did not believe a word of the findings. What is significantly different on this occasion is that there is an international perception that we have got to the bottom of this, that this is as bad as it will get. It was significant that on the day following the announcement Standard & Poor’s said it accepted the robustness of the stress tests. The whole objective of Government policy is to overcapitalise the banks to such an extent that, first, they can get lending into the real economy and, second, we can get to a sense that this is the end of the end in terms of the big black hole in the banking sector.

We all saw how private, corporate funds have left the system. We will not have a stable banking system until we can attract those funds back. It is interesting that when it comes to retail deposits — ordinary deposits by individuals and businesses — there has not been a dramatic reduction in comparison with the flight of funds on the corporate side. It must be a key objective of Government, in order for the banks to function again and to make a real impact in the economy, that they are overcapitalised. Mr. Arthur Beesley observed last week in *The Irish Times* that our banks are now better capitalised than many Swiss banks. The task of Government is to overcapitalise the banks to such an extent that they recommence lending. That is how we will rebuild our country. Why does the real economy — the domestic economy — lag so far behind? It is because people are frightened to spend. There is no confidence that the situation they face next week or the following month will not deteriorate, that their partner or spouse will not suffer unemployment. The real task of Government is to use the Irish banking sector as the engine for growth. The only way that can be done is to overcapitalise. The way in which the international markets and the rating agencies have responded to the stress tests is constructive.

Those who argue for a default need to answer a fundamental question — Deputy Boyd Barrett and I had this debate in public last Saturday. If they are suggesting to the Irish taxpayer that there is a better way, will they please show me where we will obtain at 1%, anywhere in the world, the enormous liquidity that is required for our banking system? As I said to Deputy Donnelly, we will have to assess the question of risk. We cannot play with people's lives; we cannot play with the ordinary incomes of people working in this country. Irrespective of the banking crisis, we face a fiscal crisis which is nothing to do with the banking issue. The fiscal crisis arises from the total imbalance between income and expenditure. It is absolutely essential that people are honest in this debate. They must answer the question of where we would obtain the liquidity to keep the banking system going and keep businesses going were the ECB tap to be turned off. That is a fundamental issue in this debate and people must be honest about it. The issue will not simply be wished away by the notion that others will provide the funds.

We should not forget that on the evening when our ratings were reduced because of the enormity of the stress tests, the ECB changed its rules to allow medium-term funding to operate within the Irish banking sector. Without that funding at 1% the banking system would cease to exist. We should never lose focus on this point, that the economy is being held together because of ECB support. That support comes at a price, but the Government view is that we must continue to negotiate and continue to build bridges following the enormous reputational damage done to this country by the previous Administration. We will do that.

I very much welcome the initiative taken by the Tánaiste this week in bringing together our diplomats and all of us involved in public administration, so that we are all singing from the same hymn sheet in terms of trying to build those international bridges. Who knows what the landscape will be in Europe in three months, let alone six months? Who knows what will happen to the Portuguese or the Spanish? We have to box clever. We must use the hand we are given, albeit a very difficult one, in such a way that we get the best results for Ireland. I would not go around quoting the Icelandic example of default. I would not go around talking, as Deputy Boyd Barrett did, about Argentina and Ecuador. This is a developed economy, part of a single currency zone. There are huge risks for the country in talking up the notion of default, huge risks for the people dependent on social welfare and the people in the public sector who are dependent on the Exchequer to pay their wages.

Where default has happened it has led to a collapse, to a 70% reduction in the ordinary wages of teachers, doctors, nurses and public officials. This notion that there is some type of free-range option is a dishonest position. It is not fair, it is not honest. It is fine for the type of

[Deputy Brian Hayes.]

polemical, theatrical performance which some people want to continue, but it will not help the honest debate this country needs. Such a debate is needed and in so far——

Deputy Finian McGrath: An honest debate is what we sought.

Deputy Brian Hayes: ——as this debate is being given an opportunity tonight, I welcome it.

Deputy John Halligan: We sought an honest debate.

Deputy Stephen Donnelly: Not a single word expressed by the Minister of State addressed whether the people should have a choice.

Deputy Olivia Mitchell: Last week's announcement is not in any sense the end to our problems and nor does it pretend to be. It creates a new structure for the banks and hopefully constitutes the last and final figure regarding the recapitalisation of the pillar banks. However, since the announcement much of the debate, including the debate this evening, has pertained to default. I understand how people feel about default. Everything within me rebels against the notion of being obliged to repay money to all the bondholders who lent to us. I undoubtedly share the rage felt by many people about being obliged to pay back money to lenders who were as reckless as our own banks were feckless.

However, were we to opt for a default, we instantly would become international pariahs in the face of the markets. As the previous speaker noted, we already have suffered huge reputational damage and we cannot now or ever in the future allow ourselves to be in a position in which we were the kind of pariahs to whom no one ever would lend money again. We certainly should not do so at present, when Ireland is completely dependent on the willingness of the bailout troika to continue funding next week's salaries and pension and social welfare payments. We should not do so when our banks are dependent for continued funds on the ECB.

Moreover, one should be in no doubt but that this is about funding tomorrow morning, to allow banks to dispense money through the ATMs and to pay people's mortgages, food bills and so on. While it may be that people would continue to lend to us were we to default, I do not believe this to be the case. It certainly would be a high-risk action and no Government is entitled to play such a high-risk game with people's precious savings and futures.

The European Union has said "No" to bank default as far as the pillar banks are concerned and the Government agrees. It must agree because these are the banks the Government is asking it to fund tomorrow, the day after and the day after that. The key point is that at present, we have more to lose by defaulting than we have to gain. This is an equation with which one cannot argue. While everyone wishes it were different, it is not something with which one can argue.

I believe that at some future point, the European Union will agree to some form of debt restructuring. I believe this to be almost inevitable and that in time, the European Union will come to perceive that it is in its interests, as well as in ours. After all, Ireland is joined at the hip with other European Union states in the eurozone and the process of negotiating and renegotiating our financial interactions with them will be an ongoing business. Last week's summit is by no means the end of the story but for the present, we must work the deal.

The deal that was on offer to the previous Government has not changed, although the Government will continue to try to change it. However, for the present it must show determination in its efforts to reduce our primary balance. As the previous speaker stated, I hope the Government can negotiate a reduction in our interest rates because there is no doubt but that

if we are ever to achieve the overall deficit target of 3% of GDP, we will be obliged to grow faster than we accumulate debt and at present, it is difficult to envisage how this could happen.

These are the facts of the legacy of the previous Government and they will not change by having a referendum. The result of the bailout and the bankruptcy that led to it is that we do not get to choose these solutions any more. This is the price we all are paying for the last Government's actions. It is fantasy to pretend to the people that were they to have a referendum, they would have different choices. Alternatively, it may constitute a genuine misunderstanding of what is going on but it is not the reality. The only choice left to the people was to choose a new Government to try to get them out of the hole the country is in. This primarily now means stabilising our debt, which in turn depends on interest rates, growth rates, the size of the primary balance and the requirements of the bank losses.

However, we will have no growth without functioning banks and unless there is improved market confidence at home and abroad. The holding of a referendum on how to proceed or on whether to default or otherwise will not bring that day a single moment closer. It will postpone it because it will increase uncertainty, which is the last thing the country can have at present.

Deputy Stephen Donnelly: The word "default" does not appear once in the motion. The Deputy should read the motion.

Acting Chairman (Deputy Thomas P. Broughan): I thank Deputy Mitchell. I call Deputy Keaveney, who has five minutes.

Deputy Colm Keaveney: I hardly need five minutes to explore the notion of where the referendum would take us in the eyes of the Opposition. The objective outcome is default, despite that language not being used. I have concerns regarding the idea of a referendum that would be akin to holding a referendum in my own house in which I would like to have a vote on whether we should pay back to Ulster Bank the mortgage loan we owe for the next 25 years.

Deputy Peadar Tóibín: It is the Deputy's next-door neighbour's bank.

Deputy John Halligan: That is insulting.

Deputy Colm Keaveney: It is indeed insulting for the Deputy to suggest that——

Acting Chairman (Deputy Thomas P. Broughan): I ask Deputies to address their remarks through the Chair.

Deputy Colm Keaveney: ——default is in the interest of this country. Deputy Boyd Barrett has spoken of those whose fingerprints are on the scene of the crime of this country's economic disaster. As he tucks himself up in bed tonight with a cup of cocoa, I ask him to think carefully about who would benefit from a default, with reference to those who tiptoed out of the market in 2005, 2006 and 2007. In the context of the significant deleveraging that would be forced on Ireland with regard to the assets on the books of the Irish banks, who would bottom-feed on the forced sale of the aforementioned banks' Irish performing assets? It would be those richest 300 people to whom the Deputy referred, who would take advantage of the strategy of default. Such people would return and would bottom-buy assets that would have been forced on to the market as a consequence of the default. One would see a frenzy of bottom-feeding on Irish and international property. If the objective of Deputy Boyd Barrett is to line the pockets of those 300 people whom he regards to be the richest, then the default strategy will benefit them.

[Deputy Colm Keaveney.]

The European approach to burden sharing has developed over the past two and a half years. At the outset, subordinate debt was viewed as being an unrealistic target.

Deputy Brian Hayes: That is right.

Deputy Colm Keaveney: It is now considered by the Government to be a legitimate tool to mitigate against the cost of the financial crisis faced by the taxpayer. In this context, the Government estimates that €5 billion can be saved from the €24 billion recapitalisation costs by making subordinate bondholders share in that cost.

Deputy Olivia Mitchell: Exactly.

Deputy Colm Keaveney: Both Government parties have made clear that they favour burden sharing with senior bondholders in banks as long as it is part of a European-wide framework for senior debt. The Government has made clear that burden sharing will not apply to banks that will form part of the two new pillars of Irish banking. This makes complete sense. The Government seeks a systemic banking force in Ireland that will be supported to ensure the domestic economy's ability to get through this dark period. Were burden sharing to be introduced, it would only involve banks that were not part of those new pillars, namely, Anglo Irish Bank and Irish Nationwide.

Ireland is not in a position to act unilaterally with regard to the senior bondholders as this would create serious difficulties for the Irish economy in respect of international confidence. One need only consider last weekend's commentary regarding our international competitors and how they view the Irish situation with regard to confidence within the domestic economy. We must try to position the country to be able to attract outside investors to have confidence in this economy and to have the confidence to take risks by creating jobs here. Some commentators argue that Ireland should engage in some form of high-risk game of brinkmanship on the basis that burden sharing with senior bondholders is in the country's immediate interests. That is a highly risky strategy because it would create serious doubts in the minds of those investors who Ireland so desperately needs, including in my constituency.

I would be grateful were the Minister of State, at some point this evening, to expand on the significance of the restructuring approach that ensures there will be €12 billion per annum in lending made available for each of the next three years. In light of the Central Bank's estimation of a requirement of between €11 billion and €16 billion during that period, how will we ensure these moneys will be circulated into the local and national economies to encourage risk-takers in the SME sector to get involved in job creation and to keep the next generation of young people in this country? Iceland faces a greater crisis in respect of emigration, the delivery of public services and job creation.

Deputy Brian Hayes: Hear, hear.

Deputy Colm Keaveney: How can we verify that the people of east County Galway will see a dividend from the €12 billion? Will the message the House sends be that the money's circulation through the economy can be benchmarked?

Acting Chairman (Deputy Thomas P. Broughan): I must ask the Deputy to give way.

Deputy Robert Dowds: Like other Members of Dáil Éireann, I agree with much of the thrust of this Private Members' motion, although I do not see the value of holding a referendum. The

general election gave an answer to the previous Government's handling of the nation's economic affairs, be that the failure to engage in the EU-IMF discussion process or the bank bailout. The general election brought out the public's views in this regard.

While canvassing on the doorstep, I made it clear to people that there would be no easy fix for this crisis and that it would take a long time to sort out. This got a positive response. Had I said anything else, I would not have been believed. I am glad I did this and that the new Government has made honesty its *modus operandi* with the public, as the scale of the challenge is of such monumental proportions. Unquestionably, the essential next step is to persuade our EU partners to lift some of the burden from our shoulders. Most if not all Deputies believe this to be an imperative, but the difference in the ways to go about it is the reason I will not support the motion.

The extent of the task before us is best seen through two examples. First, there is anger among our European partners at the previous Government's attempts to deal with the crisis, in particular the lack of consultation on the bank bailout. Second, Ms Catherine Day, the Irish born head of the civil service element of the European Commission, stated: "The responsibility for the Irish debt crisis rests primarily in Ireland". Her comments show the amount of work we have to do.

Deputy Brian Hayes: Hear, hear.

Deputy Robert Dowds: My points indicate that we have a considerable amount of footwork to do to rebuild the bridges badly damaged in recent years. Like the Minister of State, I welcome the Tánaiste's diplomatic initiative to explain our case in Europe. This is how we can begin the job of working with as opposed to against our European partners to help solve this crisis. Every Deputy should give his or her full backing to this work.

Undoubtedly, there is a degree of European responsibility for our debt and banking crisis. For example, how many European institutions lent money to Anglo Irish Bank? However, this argument if used on its own will not sway hearts in Europe. As a country, we must persuade our European neighbours that it is in their interests as well as ours that bondholders accept some burden sharing. We may need to soldier on with the current plan, but it will undoubtedly be shown down the road as not working adequately. I hope I am wrong, but the evidence may take the form of rising unemployment or long-term unemployment.

Unfortunately, Ireland will need to wait until Europe sees that we cannot cope with the burden placed upon us. If we cannot pay our way, it is likely that the losses will fall on other national central banks or the European Central Bank, ECB, which is locked into their exposure for the foreseeable future. It is our job to ensure they are made aware of this fact as soon as possible and arrange an arsenal of arguments to put to the ECB and our European partners, namely, that a renegotiation of the deal is in their national interests. We must make this case as soon as possible. The sooner that point is arrived at, the better for Ireland and the whole of the European Union.

Like my colleague, Deputy Keaveney, I would appreciate it if the Minister of State could demonstrate how the money being pumped into the banks will be made available for lending to small to medium-sized businesses.

Deputy Peter Mathews: We all agree that we must pull together in assessing and measuring the situation. Last Thursday, we received a full and honest presentation from the Minister for Finance regarding the report prepared by New York's BlackRock Solutions, suitably adjusted and edited by the Governor of the Central Bank and the Financial Regulator to allow for a

[Deputy Peter Mathews.]

presentation on the up-to-date position of the viable banks after restructuring. BlackRock parked to one side two of the moribund banks that are being wound down. Loan losses estimations were made for the banks that would become the two pillars. The amount of loan losses recognised resulted in estimated capitalisation requirements of €24 billion, including €3 billion of contingency funds. This was the starting point of an action plan, added to which was the statement that there would be a review of the overall regulation and operation of the banking sector, including at Department of Finance and other supervisory levels.

Getting across this restructuring plan to all of us in three weeks is commendable. It is the starting point for introducing a closer and more focused examination of the six banks in terms of asset evaluations and estimations, a double checking, as it were. If we do this, it may transpire that we must adjust a little bit more for the further losses that I and some others would suggest are to be found in Anglo Irish Bank and Irish Nationwide. When the full picture becomes clearer, we can present the composition and amount of funding in the six banks, most of which comes from the ECB and our Central Bank.

The losses that have arisen in the banking sector are probably in the order of €90 billion to €95 billion. The foreign institutions that supported the banks that created those loans that resulted in the losses participated in what some journalists have been calling in recent days “Ireland’s party”. The institutions that invested in our banks’ bonds benefited from that party, received interest from the bonds and, apart from subordinated bonds, have seen them redeemed to the extent of €60 billion without any cost. This issue ought to be reviewed and represented to Europe and the ECB. We are all on the same side, namely, the side of the Irish people. The opportunity for us is to present this report card truly, fairly and in a balanced and reasonable way to Europe. It is like when jigsaw pieces are presented so that a viewer can join them and the answer becomes obvious. That is what we should do. The result of the election is tantamount to a referendum, as only 20 seats remain in the hands of the Government parties from the previous Dáil. In itself, that is a startling fact to present to Mr. Trichet, Mr. Rehn and Mr. Chopra. We have had a referendum so we can now arm ourselves with facts, present them coherently and explain the provenance of the unsustainable loan losses that Mr. Noonan very intelligently and diplomatically raised in a shot across the bow when first meeting European officials. That is the challenge for us all so we should rise to it.

Deputy Éamon Ó Cuív: Tá áthas orm deis a bheith agam labhairt ar an ceist seo. Reading the motion from the Technical Group, there is much in the first three or four paragraphs with which nobody could find fault. In a just world it is horrendous that people in Europe who speculated with money are having debts paid by taxpayers right across the Continent. Nobody can have an argument with this and I have no brief for bankers, banks or the way they acted over the past ten or 15 years, particularly since the inception of the euro. The question is whether there are easy answers that can wipe away debts without repercussions if the country acts unilaterally and in a fashion that is not co-ordinated. That is where the difficulty lies, as the previous Government found out.

Deputy Mathews has argued that the election was almost a referendum. With a referendum the people normally get a choice and the people’s will is implemented. In this case there was a choice but the current Government realised that what was put to the Irish people was not exactly the best choice; I am thankful an about turn was implemented. When one considers coldly the choices, some of the proposals which were so handy and attractive are not so practical when one reads the small print.

As we do not want to repeat the problem we should go back to its beginning. I said this last week and will do so again tonight. When the euro was constructed, there was a major fault line going back to a hang-up which Europe and America has that profit is might and people in private industries, where there is enough competition, will always make profits and good decisions for the people. When the euro was introduced, it came with rules and regulations concerning what governments could do. There was a fixated idea that the private sector could do no wrong and if there was enough competition, all people would get better and cheaper services, although this is not necessarily true. It certainly was not true in this case and what we are discussing are some of the most expensive private services ever provided to people. No rules were laid concerning the international transfer of money and there was no proper European oversight.

Deputy Mathews is correct in that it is absolutely astounding that at a European Central Bank level nobody considered the transfer of funds between the states. The Irish banks made significant mistakes but it is also fair to point out that the non-Irish banks in this market, such as Bank of Scotland, Ulster Bank and so, made the same mistakes and followed the same pattern. Even if the Irish banks had not gone down that road, other banks may have. If we are to ensure this does not happen in future, we must introduce control on private competition and move away from a concept that seems to be one of the basic tenets of the European Union. It may have been founded in food security but now the simplistic notion is that competition solves all problems. That certainly has not been the case with us and ultimately it has been a very expensive choice.

There are other issues, such as banking oversight by the Oireachtas and the Government. There are people who argue that we should not have provided a guarantee, which is a fair point that can be examined. I am willing to consider any point. I have never heard anybody contradict my understanding, which is if there had not been a guarantee, Anglo Irish Bank would have collapsed and may have brought many financial institutions in the State with it. In the event of the bank's default, depositors were at risk. The idea of the guarantee was not to guarantee shares in the bank — they are worthless — but to hold money in the system and reassure depositors that the money was safe.

Over time we reduced the extent of the guarantee but the question arises as to why, in the short term, both bonds and depositors were guaranteed. The answer is simple; if only depositors were guaranteed, all the bondholders would have cashed in as quickly as possible and a difficulty would have ensued. The idea was to create stability and space.

What has happened to the guarantee in time? In practice, the guarantee has been superseded by liquidity provided on a fortnightly basis. In other words, we never paid out directly on the guarantee but paid out on solvency issues in the bank. People have withdrawn money in the past few years so the guarantee has been overtaken by liquidity provided by the European Central Bank. By November last year the relevant figure had risen to €100 billion. Banking issues rather than sovereign problems triggered the EU and IMF deal.

There is a simple equation as I saw it at the time. We had enough money to run the State to June this year because we had pre-funded but a problem would have occurred if the ECB indicated the money it rolled over every fortnight was no longer available or that there was a cap to it. If that had occurred, there was potential for the banking edifice to come down around our ears. That money is at 1% but if the interest is doubled, the cost to the State becomes absolutely enormous as any cost to banks is a cost to the State.

[Deputy Éamon Ó Cuív.]

In those circumstances it is being argued that people would vote in a certain way. I would be very happy for a referendum on the issue because the Irish people are pragmatic. They are mad at Fianna Fáil and we got that message. They are mad at bankers, which we also understand. Faced with the equation we saw in November, the Irish people would have made the same choice the previous Government made and which the current Government is making now. To make any other choice and stop that flow of money coming from the ECB which is shoring up banks' liquidity — I understand the figure has gone up considerably since November — would lead to the whole show coming to a shuddering stop.

If the State could not borrow money to run the country and keep the banks open, the cutbacks arising from the EU and IMF deal would have looked very small because the country would have run out of money. Faced with such a dilemma, we took the view that a maintenance of services and our ability to borrow €16 billion for this year and more money for subsequent years was absolutely vital. We saw only one show in town and if we tried to unilaterally renege on bonds, Europe would have not given us a guarantee to keep liquidity in the banks.

The Government got it absolutely right last week with an issue that was of great concern to me last November. There was a tacit understanding that the money would be injected from the ECB. However, I would be much happier if that money was put in on a medium-term basis. I am not comfortable with the idea of tacitly rolling it over every few weeks. It is better than not having it at all but is not a satisfactory situation. What we must do next is ensure stability and the only way to do that is to ensure the money from the ECB and the Central Bank, which latter, in terms of currency, is only a sub-office, is there for the long term. That would create a climate of certainty within the banking sector. In addition to corporate depositors, many ordinary people still move their money out because they are not absolutely sure whether the banks will continue to be funded from the point of view of liquidity.

My understanding of this, in simple terms, was that the ECB would provide the liquidity if we provided the capital. There was to be a total package. As far as I have heard, nobody has put in the totality, an alternative package that would give us the possibility of ensuring that, in the course of the medium term, we can fund the Exchequer services that require to be funded and ensure there is not an implosion of the banking system.

I reiterate I have no love for banks or bankers. What they did was absolutely scandalous and unprecedented. However, ordinary people depend on the financial system. The notion that one hurts nobody but bankers by allowing banks to collapse is naive in the extreme. Therefore, as in a chess game, before making any moves one must work out all the forward steps to ensure one does not create an unforeseen situation that would cause enormous damage to a great number of people.

Another issue which was overlooked when we considered bond markets and financial markets, and so on, is that there is a great mixture present, just as in the case of depositors in the banks. There are those who have big money and big investments but side by side with these are the moneys from the small people which are put into life insurance policies, pension funds, and so on. If one starts to burn people willy nilly there is no way of knowing which person one will burn. Looking at the top end, nobody can know where the trail will lead, whether to a big person or a small person. That is a problem.

I took part in a radio debate recently where a person suggested he would have paid the big depositors who were socially acceptable but not those who were not socially acceptable. I am afraid the law does not provide for that. When one enters this House the price one pays is that

although one makes the laws one must live by them no matter how inconvenient it is. One cannot change the law retrospectively. The notion that one can say one does not like such a person and therefore will not pay out but one likes another and will pay is naive in the extreme. It is strange for people who are part of the law-making system to talk in that fashion because the moment we bring into disrepute law-making and abidance with the law by the Government and the Oireachtas we undermine our democratic system and the Constitution. There are calls for a referendum but we must try to solve this problem within the law. If one tried to act outside the law one would be brought quickly to the courts. If we did not stick by the law the courts would bring us to heel very quickly and give an order that we had to comply with the law.

When one sits in the Cabinet room there is a constant constraint. Many solutions are put forward but may not comply with the law. For example, matters may be treated one way in a certain jurisdiction and certain bonds were taken out of this jurisdiction. However, by changing domestic law one does not change the status of those bonds. That matter would not be decided in a court in Ireland in any event.

Very attractive solutions have been put forward that I wish would work. I wish there was a magic bullet because I certainly do not wish to put any burden on the backs of the ordinary people. However, many of the propositions are either not legally possible or would create such great collateral damage that the resulting fallout would be much more severe on the people than the way we have taken to date. The Government which is now facing these constraints——

Deputy Peter Mathews: NAMA changed the law.

Deputy Brian Lenihan: One can adapt the law in an emergency.

Acting Chairman (Deputy Thomas P. Broughan): Through the Chair, please.

Deputy Éamon Ó Cuív: Of course. We did that when we established NAMA. Deputy Mathews is absolutely correct but one can only do that in a legal and constitutional fashion and therefore one cannot do what was suggested.

Deputy Peter Mathews: A Chathaoirligh——

Deputy Éamon Ó Cuív: May I finish? One cannot do what was suggested to me, namely, pick one depositor over another, both with the same amount of money, and say one likes the one but not the other. That is not legally possible.

Deputy Peter Mathews: May I speak?

Acting Chairman (Deputy Thomas P. Broughan): I call Deputy Tóibín.

Deputy Peadar Tóibín: Ar dtús, I have a question for the Minister, Deputy Brian Lenihan. I am sorry, I mean the Minister of State, Deputy Brian Hayes. It is hard to tell the difference these days.

Deputy Brian Lenihan: Imitation is the sincerest form of flattery.

Deputy Peadar Tóibín: Will the senior bondholders of Anglo Irish Bank bear their burden?

Regarding the substantive issue, the most recent bailout has put an enormous burden on this State. The reckless bucketing of €24 billion of Irish people's money by this Government into the banking system will bring this State closer to unsustainability. In other words, this has the capacity to break the State. It will deepen austerity measures that are crippling thousands of

[Deputy Peadar Tóibín.]

people, the weakest and the most vulnerable in society. It will also have the effect of deepening the procyclical recession that is currently affecting the State. In the end it may cost every individual worker €13,000.

This bailout is probably the most severe and important policy that has been implemented in this State since Partition. It is of such importance to the people that they should have their say by way of referendum. In the coming days we shall debate some of these issues further and tease out the economic effects and the effects of the actual bailout on the people. However, there is another major inherent cost to the deal, namely, the price of Irish sovereignty. Sovereignty is about having supreme independent authority over the country. In the Republic, this sovereignty lies with the people. In practical terms this means having the right to determine fully the laws that affect the people.

The goal of self-determination has been central to Sinn Féin since 1905 and my party has continued with that goal to the present date, with the aim of ultimately achieving full Irish independence and sovereignty on the island as a whole. Sovereignty is not a woolly or vague aspiration. It is a bread and butter issue, affecting the material wealth of each individual. The referendum is the ultimate tool of sovereignty. In this situation it is the people who have a say over the future of the State.

Over the years, this hard-won sovereignty has been diluted by a number of EU referenda such as that on the Lisbon treaty. The passing of such treaties was surrounded by substantial debate and, in some cases, major controversies. In some cases there were re-runs of referenda. In contrast, in this situation we are on the cusp of a silent revolution, one which sees extensive transfer of macro-economic sovereignty and decision-making to Brussels. The debt mountain created by Fianna Fáil has not only strangled this economy but is leading to a substantial relocation of power from the Irish people to unelected bureaucrats in Europe. It is a debt for sovereignty swap.

Much of the loss of sovereignty has been obscured from the current debate because of the more immediate and pressing issues of the massive debt burden accumulating at present. However, the outworkings of this debt for sovereignty swap will cause major difficulties in the future. In the future, this State will have to go cap in hand to the EU and ask for permission. The EU may or may not allow us permission to pursue certain economic activities. The EU may say, to quote the Minister for Finance, that we can bring in the policy if we introduce a counter-balancing measure. Some people will say it does not matter if we hand over the economy because the EU cannot make as much of a mess of it as Fianna Fáil did. I can see it is hard to imagine anyone making a mess bigger than that made by Fianna Fáil but it is important to understand the dynamics of EU decision making. It makes decisions for the benefit of the greater European economy. Ireland only represents 1% of that economy and does not register regarding decisions that are made. In the past 20 years, Ireland has been on a completely different economic cycle from the core European states. This means monetary policy which would have a beneficial impact on Germany could have a devastating impact on Ireland. In this State, low interest rates were partly responsible for the largest boom and bust cycle the world has ever seen.

Our reticence regarding the ceding of sovereignty to Brussels is not based on an idealistic pipe-dream, it is based on bread and butter side effects that such a sovereignty swap would have. It is worth noting that the so-called reform energy emanating from the EU that is driving this approach on decision-making capacity is not ideologically neutral, much of it comes from deep seated EU federal aspirations.

I appeal to TDs, especially those in Fine Gael and the Labour Party who went from door to door not 40 days ago to convince people the new Government would fairly share the burden of debt with senior bondholders, now they have been elected, to stand up for the people and economic sovereignty and survival of the State.

Debate adjourned.

Adjournment Debate

School Transport

Deputy Michael Healy-Rae: I thank the Ceann Comhairle for facilitating this debate on school transport and small schools in general.

I acknowledge and fully appreciate the difficulties regarding this issue and the present proposals for changes to school transport schemes have been inherited by the present Government.

The problem with the proposals is that the new charges will place a further burden on young families that are already under severe financial pressure to make ends meet and keep a roof over their heads. The removal of eligibility under the closed school rule will have an especially devastating effect on rural areas, particularly the increase from the current minimum of seven to ten children for the establishment or retention of services.

In Tuosist there is an excellent national school run by an excellent principal and staffed by excellent teachers who provide a solid education in this rural area. There are 73 pupils at the school, with 43 from outside the catchment area, seven from inside the eligible area, while the others live inside the 3.2 kilometre radius, making them ineligible for free transport. Their parents must pay €200 per pupil for the concessionary ticket.

In the townland of Dromuchty in the parish of Tuosist, I met a young family with young children, some of whom now go to the national school in Tuosist. If these changes are made, the younger children must go to the national school in Kenmare, because it is nearer. We have nothing against the school in Kenmare but there has always been a cherished tradition that when a small child went to school, an older sibling would be there to take him by the hand and mind him if he was afraid. That bit of comfort existed not just for the first few days, but for the first few months. Problems further down the line could be helped by having an older sibling in the school. This, however, will split families down the middle, with some going one way and some the other. Then, parents will be trying to drive children to school while working hard to pay for the increased charges they face. They are being asked to drive some children one way, some the other while they are supposed to drive to work to pay for the charges they must now face. This situation will be replicated across the country, with thousands of families affected.

Another problem is the short timeframe. Many schools only received notification on 20 March that they had an opportunity to apply for new passengers, on behalf of new infants, and the deadline was 31 March. Many of these schools will not have children enrolling until just before the summer holidays in May or June.

Will the Minister of State reconsider the proposed charging for a service that was free until now and which provided an excellent service to the rural school-going population? More important, will he increase the current minimum of eligible children for the retention of services? In light of an ongoing Government review of small primary schools, which also worr-

[Deputy Michael Healy-Rae.]

ies me, I contend that the school transport service gives value for money and is the last remaining lifeline for hundreds of rural communities and schools.

The success of the rural transport initiative, where value for money is of paramount importance, is a model I recommend the Minister of State considers when making decisions on school transport. In these difficult times we must have value for money, but how do we place a monetary value on a vibrant community? In many rural areas, the school is the only remaining focal point; the creameries, pubs, shops and post offices are gone. Please do not take away our rural schools as well. We have lost enough and do not want to lose any more.

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I thank the Deputy for raising this matter today. Before I address the issue of the changes to the primary school transport scheme, I will give the House an outline of the extent of the school transport service.

School transport is a very significant operation managed by Bus Éireann on the Department's behalf that covers over 82 million km annually. In the region of 123,000 children, including more than 8,000 children with special needs, are transported in approximately 4,000 vehicles on a daily basis to primary and post-primary schools throughout the country. Children eligible for transport may use scheduled public transport services, including the DART and Luas.

A number of changes to the school transport scheme were introduced in the last budget of the previous Fianna Fáil-Green Party Government. The changes to the primary school transport scheme derive from recommendations in the recently published value for money report of the scheme and relate to the introduction of charges, changes to the "closed school rule", changes to the minimum numbers required to establish or maintain a service and new arrangements to be put in place with Bus Éireann on a phased basis for the operation of the scheme. The changes to the closed school rule and the minimum numbers required to establish or maintain a service will have an impact on the overall provision of school transport.

The closed school rule for school transport eligibility purposes was introduced in the 1960s in circumstances where a primary school was closed and amalgamated with another. Under this rule pupils residing in the closed school area are eligible for transport to the school of amalgamation, even though they may be residing less than 3.2 km from that school.

There is also what is termed a central school rule, resulting from the amalgamation of a greater number of schools. In these instances, transport is provided for children residing not less than 1 mile or 1.6 km from the new central school. No time limit has been applied to the closed school central school rule. In some cases, the primary school in question was closed up to 40 years ago and amalgamated with another school. In some instances, a newer school has been built subsequently in the general area of the original closed school. However, under the primary school transport scheme the transport provided is to the amalgamated school only, even in circumstances where there is a newer school closer to the pupil's home. A pupil in these circumstances is not eligible for free transport to the newer school.

With regard to forward planning policy to meet pupil places annually, the Department of Education and Skills assesses school accommodation needs in each area based on local demographic trends, current and projected enrolments, recent and planned housing developments and the capacity of existing schools to meet demand for places. The closed school rule can operate to distort parental decisions and result in pupils travelling longer distances than necessary, were they to go to the nearest school. Put another way, the closed school rule operates

to deny school transport eligibility to children travelling to their nearest school and meeting the requisite distance criterion.

The specific changes announced in respect of the closed school rule are as follows. From the commencement of the 2011 school year, the distance criteria will be applied to all pupils attending primary schools and the exemption under the closed school rule will cease. This means children who reside less than 3.2 km from the school of attendance and who are currently availing of free transport to that school under the closed school rule will no longer be eligible for school transport. From the 2012 school year, eligibility based on the closed school rule and the central school rule will cease for all new children entering primary schools. However, I emphasise that existing primary pupils availing of transport under the closed school rule will retain transport eligibility for the duration of their schooling, provided the requisite distance is met. Moreover, given that the change in question will not come into being until September 2012, all new pupils enrolling this September will be eligible under the closed school rule.

The practical consequence of these changes are as follows. The principle of using the distance criteria as the key eligibility criterion, having regard to language and ethos, will be applied equitably nationally. Transitional arrangements for a period of seven years will be provided to cater for the eligible primary cohort attending the amalgamated school to allow them to complete their schooling at the school. In the case of all future primary school amalgamations, eligibility will be based on the distance criteria applying at that time and attendance at the nearest school. From 2012 onwards pupils residing in a closed school area, for whom the amalgamated school is not their nearest but who enrol in their nearest school, will be eligible for school transport provided the requisite distance of 3.2 km is met.

Schools Building Projects

Deputy James Bannon: I thank the Leas-Cheann Comhairle for affording me time to discuss this important matter. Also, I welcome the new Minister of State at the Department of Education and Skills and I wish him the best of luck in his new portfolio. This matter concerns the need for the Minister to provide essential funding for a new school building for Curraghmore national school, Mullingar, County Westmeath, which currently has seven out of eight classes accommodated in prefabs at an annual cost of €84,800 and at a total cost of €450,000 for the past ten years. Some of these temporary structures were second-hand when installed ten years ago and they have deteriorated considerably in the intervening years.

The wastage by the previous Government has played a large part in the predicament in which many schools have found themselves. One of the major scandals associated with the Fianna Fáil Green Party Government was that so much money was wasted on white elephants while schools were neglected. Schools which should of necessity have been provided with the construction of new buildings many years ago have had to struggle on in sub-standard temporary accommodation, which has cost taxpayers millions of euro.

Curraghmore national school has been informed of a rapid school development list which can enable schools to be built in 35 weeks. While I am not fully aware of the provision, Curraghmore would be a contender for a top ranking on such a list. Despite being informed by the Department ten years ago that an eight classroom school was required and should be built for Curraghmore, nothing has materialised in the intervening time.

Curraghmore is an eight teacher school of 210 pupils with seven classes in prefabs for the past ten years. Costs for this temporary accommodation have already amounted to €500,000. With pupils receiving all of their primary education in such accommodation, which is seriously outmoded, there are serious associated health and safety risks. Poor ventilation can cause

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asthma, leaks and decay of the prefabs are a serious concern, flooding, rot, broken gutters, leaking pipes and traffic congestion impact adversely on education and well being. Physical development is at risk with lack of exercise facilities potentially leading to obesity. There is no green area for play. Outside breaks and physical education take place on a tarmacadam surface. Since the school has no general purpose room or gymnasium, exercise is weather dependent. The school has no money for the provision of buses to local sports facilities. Cold winters have led to pipes freezing. In turn, this has led to a lack of water, heat, toilet facilities and, ultimately, school closures.

The Department of Education and Skills has identified a need for extra primary school classes in the Mullingar area and has made it clear that funding will be provided for a new school only if extra class spaces are provided. All other schools in the area are operating to full capacity. If it were provided with the necessary facilities, Curraghmore could relieve some of this pressure on places.

A four acre site is required for the new school as near as possible to the current location. Westmeath County Council has agreed to begin the compulsory purchase order process on zoned land on the Ardmore Road, Mullingar. The local bishop has given a commitment in writing to the Department of Education and Skills that the parish will purchase the land. While I am aware that the Minister has inherited a flawed system with limited resources, I impress on him the urgent need for a permanent built environment for this school, which has waited for ten years for a commitment to a new school building to be met. I hope to hear good news from the Minister of State this evening.

Deputy Ciarán Cannon: I am replying to this Adjournment matter on behalf of my colleague, the Minister for Education and Skills, Deputy Ruairí Quinn. I thank Deputy Bannon for raising the matter since it provides me with the opportunity to outline to the House the Government's strategy for capital investment in school building projects and to outline the current position on the building project to provide for a new school building to replace the existing Curraghmore national school in Mullingar, County Westmeath.

In its programme for Government, the Government is committed to drawing up a new national development plan that reflects Ireland's changed economic circumstances, covering the seven-year period from 2012 to 2019. The plan will be based on a comprehensive study of Ireland's public investment priorities in that period. In the initial years, when resources will be most heavily constrained, the programme for Government commits to prioritising investment in several specific areas, including school buildings. The Government will insist that major capital projects are subjected to proper cost-benefit analysis and evaluation, improving future productivity and growth prospects, and that the value for money obtained is significantly enhanced compared to the most recent period. Modernising facilities in our existing building stock as well as responding to the emerging needs in areas of rapid population growth will continue to be a significant challenge.

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

Projects are selected for inclusion in the schools building and modernisation programme on the basis of priority of need which is reflected in the band rating assigned to a project. In other words, a proposed building project moves through the system commensurate with the band rating assigned to it. There are four band ratings overall, of which band one is the highest and band four the lowest. Band one projects, for example, include the provision of buildings where none currently exists but there is a high demand for pupil places, while a band four project makes provision for desirable but not necessarily urgent or essential facilities such as a library or new sports hall.

A project to provide new accommodation for Curraghmore national school has been assigned a band two rating under the published prioritisation criteria for large-scale building projects. The provision, however, of a new building for the school necessitates the acquisition of a site. In this regard, the Department is in ongoing discussion with the local authority with a view to acquiring a suitable site for the proposed new school building. However, due to the commercial sensitivities pertaining to site acquisitions generally, it is not possible for me to comment further at this time.

When a site is available, consideration can be given to the inclusion of a building project for the school in the Department's multi-annual schools building and modernisation programme. However, in light of competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of this project at this time.

I thank the Deputy for giving me the opportunity to outline to the House the current position regarding the school building project for Curraghmore national school.

Inland Waterways

Deputy Seán Kyne: Is é seo an chéad seans dom labhairt san áit seo agus ba mhaith liom mo bhuíochas a ghlacadh leis na daoine ó dháilcheantar Ghaillimh Thiar maidir leis an tacaíocht a fuair mé san olltoghchán. Glacaim buíochas leis an iar-Theachta Dála Fhine Gael don dáilcheantar, Padraic McCormack, tar éis 21 bliain go leith ag obair ar son mhuintir iarthar na Gaillimhe. Tá a fhios agam go bhfuil sé fíor-bhródúil go bhfuil beirt Teachta Dála nua as Fine Gael sa dáilcheantar anois.

I thank the Leas-Cheann Comhairle for facilitating the raising of this issue on the Adjournment. As a fellow County Galway man, I congratulate him on his election as Leas-Cheann Comhairle.

Lough Corrib is the second largest lake on this island and the largest within the State. It is predominantly within the Connemara electoral area which elected me to Galway County Council on two occasions. It is a prized asset within my county and within this country. The Galway county development plan in respect of Lough Corrib notes:

It is possibly the single most significant natural asset in the County. Its waters serve as a domestic supply for half the population of the County. It is one of the most important wild fisheries in Europe, making it a prime tourist asset and an important habitat. As the second largest inland waterbody on the island with free and frequent access to its largely unspoilt shoreline it is a vast leisure area for locals and visitors.

Lough Corrib, however, has faced and is facing huge problems and challenges. The threats of pollution from sewerage schemes, septic tanks, nitrate and phosphate enrichment are real, although improvements have been made to address these threats during the past number of years. Zebra mussel has also made an unwelcome appearance. Another very serious issue is

[Deputy Seán Kyne.]

the rapid encroachment of African pond weed or *Lagarosiphon major*. The origin of this invasion was likely to have come from a domestic water pond where these plants are part of ornamental gardens. Whatever the origin, the consequences are very serious. The weed has spread across many of the Lough Corrib's bays since first identified in 2005. Its spread has had a number of consequences for navigation, fishing and water quality. The weed poses a threat to navigation channels because it can get entangled in equipment on boats, etc., and it poses a threat to the supply of clean drinking water. All of Galway city receives its drinking water from Lough Corrib. The weed also increases the threat of flooding.

The Central Fisheries Board launched a campaign after the identification of this weed as a problem and over the years made presentations to Lough Corrib Navigation Trustees and Galway County Council, both bodies of which I was a member, and to Galway City Council. Funding was provided initially by the State. A boat to allow for the weed cutting was purchased in 2008 by the Department of the Environment, Heritage and Local Government. Galway County Council then came on board with funding and last year a commitment was also made by Galway City Council in its 2011 budget. Today, Inland Fisheries Ireland has commitments from Galway County Council and the city council in their 2011 budgets for the control of this weed as well as commitments from the Office of Public Works and the Heritage Council. This commitment to funding is recognition of the seriousness of the situation on Lough Corrib.

An innovative method of dealing with this weed has involved competent individuals diving to the bottom of the lake, cutting the weed, bringing it to the lake surface, hauling the weed onto a boat and bringing it ashore for disposal. A mat is then placed over the lake bed from where the weed has been removed to prevent regrowth of the weed, but it allows the natural flora of the lake to regrow. This is very technical and labour intensive work. Three local individuals with expertise and, as locals, a love for the lake saw their contracts end on 31 December.

I note previous responses from the Department of the Environment, Heritage and Local Government or the Department with responsibility for natural resources that the reason behind the refusal to allow Inland Fisheries Ireland issue new contracts is the public service recruitment ban. I understand our commitment to the IMF-EU deal and the need to impose restrictions on public sector and State body worker numbers to satisfy this deal. In this instance, however, I am not seeking additional moneys for new staff to be employed but moneys budgeted by Galway's local authorities, the Office of Public Works and the Heritage Council to be spent and to allow local individuals with the expertise to continue the vital job they have been doing for the sake of Lough Corrib.

I understand the Minister's Department is tied by the Department of Finance's insistence on the moratorium, but I ask the Minister of State if the Department accepts the necessity for this work to be completed and if he can persuade the Department of Finance to allow contracts be issued where the moneys are already sanctioned by the bodies listed. Three young men are receiving social welfare assistance when instead they could be working, being paid by moneys already sanctioned by the listed authorities and bodies and doing a vital job cutting and removing African pond weed from Lough Corrib. This whole story reeks of red tape and bureaucracy and makes no sense. I appeal to the Minister of State to liaise with the Minister for Finance to allow Inland Fisheries Ireland issue new contracts in order that these staff can continue with these necessary works.

Deputy Ciarán Cannon: I am replying to this matter on behalf of the Minister for Communications, Energy and Natural Resources, Deputy Pat Rabbitte. I thank Deputy Kyne for raising

this very important issue and congratulate him, his family and community on his election to Dáil Éireann.

I am advised that the biggest threat to biodiversity in Ireland, after habitat destruction, is that of invasive alien species. Indeed the negative impact of invasive aquatic species such as *Lagarosiphon major* is widely acknowledged. Lough Corrib, the second largest lake in Ireland and a vital amenity for the west, is currently under threat from a number of invasive species, in particular *Lagarosiphon major*.

It is not known how the weed arrived in Lough Corrib, but similar plants can be purchased for use in ornamental garden ponds. My colleague, the Minister for Tourism, Culture and Sport, Deputy Jimmy Deenihan, has responsibility, through the National Parks and Wildlife Service, for the enactment of legislation in this area under the Wildlife Acts 1976 to 2000 and is currently considering proposals that will further regulate the restriction of invasive plant species.

Funding was secured by Inland Fisheries Ireland under the EU Life plus programme for a project on the control of aquatic invasive species and the restoration of natural communities in Ireland, known as CAISIE. Control and eradication of the weed can be achieved through projects like this which adopt a co-ordinated approach in highlighting the destruction to habitats caused by invasive species. Indeed, the National Parks and Wildlife Service is co-financier of this project.

The Deputy is aware that the economic position of the country is profoundly changed, even since the initiation of that project, with implications and challenges for the public sector generally and Inland Fisheries Ireland's business specifically. The board and management of Inland Fisheries Ireland are assessing the implications of these challenges for the organisation and its business plan.

In the context of the National Recovery Plan, 2011 to 2014, and under the terms of the joint EU-IMF programme for Ireland, Departments and State agencies have to deal with reduced budgets and the prospect of further reductions into the foreseeable future. This has clear implications for the level of employment that can be sustained across all areas of the public sector.

Inland Fisheries Ireland was established last year and the intention is that this body will support a more efficient and effective management of the inland fisheries resource. There is an improved national perspective in the formulation of inland fisheries policy, supporting a more streamlined, coherent and integrated approach. While the reality is that the organisation faces pressures on its direct grant from the Exchequer, I can confirm that funding has been made available to Inland Fisheries Ireland to continue its efforts at controlling the weed in Lough Corrib. It employs a number of research staff on the project which will continue to focus on control and containment. Work on the systematic removal of the weed — in collaboration with the local authorities in County Galway — by using a wide range of tried and tested, as well as new and innovative, methods is being conducted over a three-year period.

The contracts of three temporary personnel involved in cutting and clearing the weed which was mainly done by means of scuba diving expired in December 2010. It was not possible to renew these contracts because of the public service staffing moratorium. Notwithstanding the ongoing constraints on public expenditure, Inland Fisheries Ireland has indicated that it will continue to prioritise this work from its available resources. It is considering options for undertaking works to control the weed this year. In that context, on 1 April it requested tenders from suitably qualified contractors and competent suppliers and contractors who would supply equipment or be subcontracted for the control and removal of *lagarosiphon major* from Lough

9 o'clock

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Corrib for a 12-month period. The successful tenderer will work in conjunction with existing IFI research and operational staff on Lough Corrib. This important work will continue as resources permit.

Energy Prices

Deputy Martin Ferris: I welcome the opportunity to raise this matter on the Adjournment. While the reduction in electricity prices is welcome, I would like it to be passed on to the more than 100,000 ESB customers currently in arrears. The Minister for Enterprise, Jobs and Innovation, Deputy Richard Bruton, has also made a call in this regard and I hope the ESB will take account of what he had to say yesterday. I also hope heed will be paid to the calls made by other parties and the different groups involved in working with those in financial difficulties.

The Government must communicate to the energy regulator the wide range of opinions in respect of this matter. I hope the regulator will bring pressure to bear on the ESB to change its decision regarding customers in arrears. While there is no doubt that there are persons who are in arrears simply because they do not pay for reasons other than not being able to afford to do so, it is clear that the vast majority of the relevant individuals are in arrears for genuine reasons. As the Consumer Association of Ireland indicated yesterday, those to whom I refer have experienced probably the most difficult period of their lives in recent years. People have lost their jobs, have had their wages reduced and, as a consequence, have fallen into difficulties.

No one likes to fall behind with his or her mortgage repayments, rent or vital household bills. If people do fall behind, it is not only a question of their homes being placed in danger or their not being in a position to heat them properly, there is also the huge element of pride which comes into play. People are embarrassed if they cannot keep up their payments. As I stated last week, when commenting on the universal social charge, I have met individuals who are obliged to make major decisions on what appear to be small amounts of money on a daily and weekly basis. They must contemplate whether they should buy food, pay their rent or mortgage in full, pay their gas or electricity bill or whether they will be able to put some petrol into their cars on a Monday morning.

The worst aspect of all of this is that the people in the position I have outlined are often in employment. There is no doubt that many of those who are in arrears on their electricity bills are also working. That is a shameful situation for decent, hard-working people to find themselves in and it is not as a result of anything they have done. It is a shame that they are on such low wages and obliged to meet so many financial impositions that they find it impossible to make ends meet. It would surely be of assistance to them and would address the issue relating to arrears if the ESB was to extend the welcome reduction in prices to those of its customers who are in arrears. This is an issue in which the energy regulator ought to intervene in order to ensure the reduction in prices will be passed on.

I hope the regulator will refuse the expected request from Bord Gáis Éireann to significantly increase its charges for domestic gas supplies. Such a move would not only cancel out the limited relief provided by the reduction in charges for ESB electricity customers, it would also add to the financial stress imposed on the households to which I have referred.

Social welfare recipients who may be in arrears are entitled to a 6% discount on their energy costs. However, those who are genuinely in arrears and not in receipt of social welfare payments do not qualify for the reduction announced by the ESB. I hope the Minister of State will give this matter his immediate attention.

Deputy Ciarán Cannon: I thank the Deputy for raising this matter. The Minister for Communications, Energy and Natural Resources, Deputy Pat Rabbitte, has no statutory function in the setting of energy prices, whether in the regulated or non-regulated sectors. The regulation of the electricity and gas markets is the responsibility of the Commission for Energy Regulation, CER, which is an independent statutory body.

The residential electricity market has changed dramatically during the past two years following the introduction of competition. This has brought significant pressure on ESB Electric Ireland, with the loss of some 800,000 customers to date and customer exits continuing at a rate of 5,000 a week. The electricity retail market was fully deregulated as of 4 April, with the entry of ESB Electric Ireland to domestic competition. As a result, business and domestic customers can now avail of the competitive offerings from a number of electricity supply companies. Even in this deregulated energy market, the CER will continue to monitor the position to ensure tariffs are cost reflective, that is, that there will be no below-cost selling.

The Minister and I welcome the ESB's announcement yesterday of price cuts of up to 17% for electricity and gas customers. ESB Electric Ireland is responding to competitive pressure, while maintaining a balance between its business viability — last year over €20 million in bad debts was written off — and customers' needs. This is a further positive example of competition at work in the market, with good results for consumers. As the Minister indicated at Question Time, he has asked the ESB to distinguish between those customers who will not pay and those in genuine trouble. He has also requested that it pay particular attention to the needs of customers with genuine payment problems who want to avail of the price cuts.

ESB Electric Ireland has a well established practice of agreeing payment plans with customers in order to facilitate them in paying off their arrears over a period appropriate to their individual financial circumstances. It makes approximately 150,000 of these arrangements each year. In addition, token meters are offered to customers as an added help in household budgeting. A new generation of pay-as-you-go keypad meters will be rolled out this winter by ESB Networks under the auspices of the CER. By adopting this new technology, it is ESB Electric Ireland's objective that disconnections will no longer occur.

ESB Electric Ireland has confirmed that customers in receipt of social welfare payments who may have arrears can register for the household budget price plan. This plan offers reductions on their electricity unit rates provided they sign up to having a minimum amount of €15 a week deducted at source from their social welfare payments via An Post's household budget scheme. The scheme is strongly recommended by the Money Advice and Budgeting Service, MABS, and the Society of St. Vincent de Paul. ESB Electric Ireland is incentivising its customers to participate in the scheme by means of its new household budget price plan offering.

The current economic climate is placing additional pressures on consumers and many are experiencing problems in meeting domestic outgoings. The numbers experiencing difficulties in paying utility bills is a concern for the Government, the CER and the energy utility companies. Ultimately, this can result in disconnection from service. However, the key message for all customers is to contact their suppliers to make arrangements before the situation reaches the point of disconnection. In addition and in line with the programme for Government, the Minister for Communications, Energy and Natural Resources is working with his colleagues, the Ministers for Social Protection and the Environment, Community and Local Government to bring forward the proposed strategy to tackle energy poverty.

Energy affordability is a cross-cutting policy issue. Tackling the root causes of energy affordability or fuel poverty requires action on a number of fronts. Energy poverty is caused by the

[Deputy Ciarán Cannon.]

interaction between energy prices, thermal inefficiency of the home and income. Considerable work has been undertaken by the interdepartmental-agency group on affordable energy which is chaired by the Department of Communications, Energy and Natural Resources and represents all key Departments, agencies and energy suppliers, as well as the energy regulator and NGOs. The Minister expects the affordable energy strategy group to finalise its work in the coming weeks. Its analysis and recommendations will form the basis of a strategy to be agreed and brought to the Government as soon as possible.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 6 April 2011.

Written Answers

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 6, inclusive, answered orally.

Questions Nos. 7 to 22, inclusive, resubmitted.

Questions Nos. 23 to 31, inclusive, answered orally.

Fuel Poverty

32. **Deputy Aengus Ó Snodaigh** asked the Minister for Communications, Energy and Natural Resources when the strategy to tackle fuel poverty promised in the programme for Government will be published. [6003/11]

39. **Deputy Billy Kelleher** asked the Minister for Communications, Energy and Natural Resources the timeframe for the publication of the fuel poverty strategy; and if he will make a statement on the matter. [5976/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 32 and 39 together.

In line with the Programme for Government, I am working with my colleagues the Minister for Social Protection and the Minister for Environment, Community and Local Government to bring forward the proposed strategy to tackle energy poverty.

Considerable work has already been undertaken by the Inter-Departmental/Agency Group on Affordable Energy which is chaired by my Department and which represents all key Departments, Agencies and energy suppliers as well as the Energy Regulator and NGOs.

Energy Affordability is a cross-cutting policy issue and tackling the root causes of energy affordability or fuel poverty requires action on a number of fronts.

Energy poverty is caused by the interaction between energy prices, thermal inefficiency of the home and income. Action to mitigate energy poverty has traditionally focused on providing assistance through the schemes operated by the Department of Social Protection. In recent years there has been a growing focus on providing energy efficiency upgrades to low-income, or at risk households, under the Warmer Homes Scheme. The Scheme is administered by the Sustainable Energy Authority of Ireland (SEAI) on behalf of my Department.

[Deputy Pat Rabbitte.]

The Warmer Homes Scheme was established to systematically address poor thermal efficiency performance of low-income privately owned housing. The scheme provides energy improvements at no cost to eligible households. It brings benefits to recipients in terms of energy affordability, tangible health improvements and overall well being.

In 2010, over 24,000 homes underwent upgrades with a total spend of €30 million. The Scheme has resulted in quantifiable energy savings for low-income households worth almost €3 million. The scheme has addressed over 64,000 fuel poor homes since 2000. My Department and SEAI have a target of an additional 17,500 homes in 2011 of which 2,096 have been completed to date. The Scheme is delivered by a network of private contractors and community-based organisations nationwide.

In addition to the Warmer Homes Scheme, the Department of Environment, Heritage and Local Government operate a retrofit programme for social housing. Approximately 1,850 units were approved in 2010 with a similar number expected this year.

I expect the Affordable Strategy Energy Group to finalise its own work, in the coming weeks. Their analysis and recommendations will form the basis for a strategy to be agreed with my Ministerial colleagues and brought to Government as soon as possible.

Since ESB Electric Ireland's announcement of price cuts yesterday, there has been understandable focus on the requirement for customers to have their accounts up to date in order to take up the price reduction offers. It is the case that ESB, and all other energy suppliers, are commercial operations and therefore business viability is an issue for them — balanced as far as possible with customers needs.

In light of the concerns expressed, ESB has confirmed to my Department that Social Welfare customers who have arrears are indeed eligible for the new Household Budget Price Plan. What is required is that they sign up to a minimum 15 Euro payment via the Household Budget Scheme.

I have also asked ESB to immediately review ways in which other customers that are in arrears, but have a payment plan, can benefit from the price reductions. ESB have committed to undertaking this review.

Energy Prices

33. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources the steps he will take to reduce energy prices. [6646/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have no statutory function in the setting of energy prices, whether in the regulated or non-regulated sector. Responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body. The electricity retail market is now fully deregulated as of 4 April and the CER are engaged in progressive de-regulation of the gas retail market. As a result, business and domestic customers can now avail of the competitive offerings from a number of electricity supply companies.

I welcome ESB's announcement yesterday of price cuts of up to 17% for electricity and gas customers. This is a further positive example of competition at work in the market with good results for consumers. As I outlined to the house earlier I have asked ESB to pay particular attention to the needs of customers with genuine payment problems and who want to avail of the price cuts.

Competition helps to put downward pressure on energy prices. But the Government is concerned to ensure that all possible additional actions are taken to mitigate business and for

domestic customers. This is essential for competitiveness, for employment and for the economy as a whole.

I acknowledge the action taken over the last two years to bring Ireland's energy prices into line with, or below, European averages. This is confirmed by Eurostat figures for 2010.

This has been an important factor in improving the competitiveness for Irish enterprise and foreign direct investment. However, there is no room for complacency. Global gas and oil prices have risen sharply since the start of the year driven by events in North Africa and Japan and high demand from the emerging economies of China and India. Ireland's concerns about the risk of price rises are shared by the European Union. Oil and gas prices and security of supply were discussed at the Special Energy Council on 21st March which I attended. We agreed at Council that high energy prices, if sustained, would endanger economic recovery. We also agreed on the imperative to enhance energy efficiency and renewable energy programmes thus reducing dependency on high priced fossil fuels. My Department will continue to work with the enterprise community, the energy sector, and the energy regulator to take action where possible to reduce the cost of energy for business, domestic customers and for vulnerable customers.

Question No. 34 answered with Question No. 29.

Telecommunications Services

35. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the steps he will take to provide broadband access outside the main urban centres; and if he will make a statement on the matter. [6365/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): 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). The telecommunications market in Ireland has been fully liberalised since 1999 and, since then, has seen the steady growth and development of vibrant well-regulated competition in the provision of the full range of telecommunications products and services.

The Government is not a player in this market and can only intervene in cases of market failure. Such interventions, as in the case of the National Broadband Scheme, are subject to State Aid clearance by the EU Commission. Under the NewERA proposals in the Programme for Government there is a commitment for NewERA to co-invest with the private sector and commercial Semi State sector to provide Next Generation Broadband to every home and business in the State. Consideration of how best to advance the NewERA proposals, for which my colleague Minister of State O'Dowd has specific responsibility, is being advanced by my Department with other stakeholders across Government. The State has already intervened, with EU approval, to invest in improving broadband access to areas outside of urban centres. Accordingly my Department entered into a contract with "3", a Hutchison Whampoa company, for the delivery of the National Broadband Scheme (NBS) in late December 2008.

This targeted State intervention was aimed at addressing rural areas where broadband services were unlikely to be available due to reluctance on the part of commercial operators to invest because of uncertain financial returns. The NBS network has now been completed and services have been available in all 1028 Electoral Divisions since October 2010, in line with contractual commitments. The NBS contract remains in place until August 2014. 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 broad-

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band 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 in the coming weeks. This scheme will aim to provide a basic broadband service to individual unserved 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. The combination of private sector investment, the NBS and the Rural Broadband Scheme should ensure broadband coverage for effectively the full country.

Tribunals of Inquiry

36. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources if he received an advanced copy of the Moriarty report. [6648/11]

42. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources if he will issue an apology for the systemic failures in the process to award the GSM licence, as outlined in the Moriarty report, and the steps he plans to take to ensure that this never happens again. [6649/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 36 and 42 together.

I did not receive an advance copy of the Moriarty Report. I set out in some detail my comments in the course of the debate in this House last week. In my initial speech in the Debate I accepted that the Tribunal did make criticisms of the process and its administration by the then Department. The Tribunal did refer to systemic failures in the Department in their report but as I pointed out in my address last week this should be seen in the context of the Tribunal statement that the officials in question had no means of knowing the then Minister was conveying information to one of the bidders and no reason to suspect Mr. Lowry.

As the Deputy will be aware the system for issuing spectrum licences has changed fundamentally since the time of the second mobile phone licence competition. The administration of the competition for the award of spectrum licences is now a matter for the statutorily independent regulator ComReg. The latter in turn operates under an EU Regulatory framework which requires that the allocation and assignment of such radio frequencies is based on open, transparent and non-discriminatory procedures for the granting of the licence.

I would point out to the Deputy that the Government has directed Departments to examine the recommendations of the Tribunal and to report back on them with four weeks. In addition the Government will embark on a programme of major reform of political and public administration as set out in the Programme for Government.

Offshore Exploration

37. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources his plans to revise the licensing and taxation terms governing oil and gas exploration to ensure a greater return to the Exchequer; and if he will make a statement on the matter. [6305/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As I outlined in my reply to Priority Questions number 24 and 25 today, Ireland's petroleum potential is largely unproven and this is likely to remain the case until there is a significant increase in the level of exploration activity, particularly exploration drilling. Ireland competes with other countries to attract mobile international exploration investment. It is important that Ireland maintains a licensing regime that appropriately reflects both the risks and rewards of investing in petroleum exploration in the Irish offshore, relative to investing in exploration in other jurisdictions.

A comprehensive review of Ireland's licensing terms was carried out in 2007 by independent economic consultants, following which both the fiscal and non-fiscal licensing terms were revised. The revised terms apply to all exploration licences issued since 1 January 2007 and provide for a new profit resource rent tax of up to 15% in addition to the 25% corporate tax rate previously applying. The revised terms ensure that the return to the State would be up to 40% in the case of very profitable fields.

Ireland's petroleum taxation rate is deliberately pitched at a level that is consistent with countries such as France, Portugal and Spain, who like Ireland have limited petroleum production, rather than with major petroleum producers such as Norway or the UK.

Tax Code

38. **Deputy Michael P. Kitt** asked the Minister for Communications, Energy and Natural Resources if he will reverse the public service obligation levy. [6651/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Public Obligation Service (PSO) levy has been in place since 2001 and is the support mechanism for peat generation and the development of renewable electricity. The PSO also supports the output of two gas fuelled power plants built in 2005 to secure much needed generation capacity at the time. The levy is designed to compensate electricity suppliers for the additional costs they incur by purchasing electricity generated by the three peat stations and renewable energy sources. The levy has supported the connection of more than 1,400 MW of renewable energy, mostly wind, to the electricity grid over the last decade.

The Commission for Energy Regulation determines the PSO levy which is a charge on all electricity customers. Its legal basis and method of calculation are set out in the regulations made under the Electricity Regulation Act 1999.

In general terms the cost of the PSO levy to the consumer tends to be low or zero when gas and oil prices are high, as in these cases the market adequately rewards renewable and conventional generation including the peat stations. However, when fossil fuel prices fall, peat and renewable generators become less competitive and suppliers need to be compensated for purchasing their output. The significant fall in oil and gas prices over the last two years gave rise to the re-emergence of the PSO levy on all customers' bills from October 2010.

In line with the Programme for Government commitment to review and reform the PSO levy, I have firstly requested my Department to review the operation of the peat PSO to ensure that it is as cost efficient as possible. The bulk of the cost of the PSO levy currently derives from supporting the peat stations.

I have also asked my Department to confirm that the development of renewable energy, supported by the PSO levy, is being achieved in a cost effective way. Ireland already has the second lowest rates of renewable energy supports across Europe. It is also vitally important to guard against market and investor uncertainty by sending the message that supports for renewable energy will continue.

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It is the case that the development of renewable energy in Ireland is lowering electricity prices to consumers in the long run and that the existing feed-in tariff reflected in the PSO levy is essential to support this development.

Question No. 39 answered with Question No. 32.

Question No. 40 answered with Question No. 28.

Departmental Bodies

41. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if the proposed merger of Bord na Móna and Coillte as a bioenergy company will entail the sale of lands currently under the control of either existing body; and if he will make a statement on the matter. [6366/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Government intends to create a new State company to be called BioEnergy Ireland which will involve the merger of Bord na Móna and Coillte. The new company will be charged with becoming a global leader in the commercialisation of next generation bio-energy technologies and delivering on an annual 14,700 hectare afforestation programme.

It is the case that Coillte and Bord na Móna own 7% and 1% of Ireland's land surface respectively.

In the context of the proposed merger, or the Programme for Government, there are no proposals to sell lands in the ownership of either Coillte or Bord na Móna. The Programme for Government states the intention to target up to €2 billion in sales from non strategic state assets, without specifying which assets, and only when market conditions are right.

Question No. 42 answered with Question No. 36.

Telecommunications Services

43. **Deputy Denis Naughten** asked the Minister for Communications, Energy and Natural Resources the steps he will take to provide broadband coverage to areas not serviced by the national broadband scheme; and if he will make a statement on the matter. [6364/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): 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 in the coming weeks. This scheme will aim to provide a basic broadband service to individual un-served rural premises outside of the NBS areas.

There will be a competitive process to engage a service provider who will offer a broadband service to qualified applicants under the scheme. While the exact details have yet to be finalised, I expect that the service offered under this scheme would at least match the service offered under the NBS and that the scheme will be fully rolled out by the end of 2012.

Offshore Exploration

44. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources his plans to review the system of licensing for oil and gas exploration, development and production on Irish territory and waters, with a view to ensuring greater benefits for the State from the development of these natural resources; and if he will make a statement on the matter. [6458/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As I outlined in my reply to Priority Questions number 24 and 25 today, while Ireland has recognised potential as a petroleum producing area, the Irish offshore is relatively underexplored. As a result Ireland's petroleum potential is largely unproven. This is likely to continue to be the case, until there is an increase in the level of exploration activity offshore Ireland and there is an increase in the level of exploration drilling in particular.

Ireland competes with other countries, both in Europe and much further afield, to attract mobile international exploration investment to Ireland. To that end, it is important that Ireland maintains a licensing regime that appropriately reflects both the risks and rewards of investing in petroleum exploration in the Irish offshore, relative to investing in exploration in other jurisdictions.

In relation to periodic publicity about Ireland's oil and gas resources, recent assessments of yet-to-find potential, based on petroleum systems studies, indicate a total reserve potential in the order of 10 billion barrels of oil equivalent (oil and/or gas) for the offshore frontier basins west of Ireland. This divides roughly into 6.5 billion barrels of oil and 20 trillion cubic feet of gas. It should be understood that these figures only represent 'potential' reserves, or the reserves that might be present based on geological criteria and regional comparisons, and that they have not been discovered. Actual reserve figures are likely to vary widely from these estimates and will not be known without a dramatic increase in the level of exploration activity.

A comprehensive review of Ireland fiscal terms was carried out in 2007. This review, which was underpinned by independent economic analysis, considered the appropriateness of Ireland's licensing terms in comparison to other European countries that Ireland competes with for exploration investment. The review concluded that there might be potential to capture a higher share for the State on more profitable finds, but that the potential for this should not be over estimated. The outcome of that review was the introduction of a supplementary tax, known as a profit resource rent tax, of between 5% and 15% that will apply in the case of more profitable fields. The supplementary tax would be payable in addition to the standard petroleum corporate tax of 25% which is of course double the standard corporation tax rate of 12.5%. Since that review concluded in 2007 there has been no significant change in terms of the level of exploration activity and no new commercial discoveries have been made.

As I have already identified, the level of exploration activity will continue to be the critical factor in Ireland obtaining a benefit from our indigenous oil and gas resources. We need to get

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drilling levels above the recent levels of one or two wells per year, if more commercial discoveries are to be made. As part of an ongoing strategy to attract new companies and new investment, my Department is currently running a licensing round that is deliberately structured to attract new exploration companies to Ireland. This licensing round, which closes at the end of May, also aims to encourage companies to look at areas of the Irish offshore where little data currently exists and as a consequence, little is known of the potential prospectivity of these areas.

While I will keep the licensing terms, both fiscal and non-fiscal, under review in light of relevant future developments, at this juncture I believe that the focus should be on attracting a larger share of mobile international exploration investment to Ireland, to increase the chances of new commercial discoveries being made

Alternative Energy Projects

45. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources in view of the turbulent events in the oil producing countries of north Africa and the Middle East and in light of the fact that Ireland imports 23% of its oil from Libya, the measures he is planning to take to develop renewable energy sources and develop jobs in this area to reduce our dependence on imported oil. [5851/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): International Energy Agency statistics show that Ireland obtained 23.3% of its crude oil supply from Libya in 2010, which represents 8.78% of Ireland's total crude and refined oil imports in that particular year. The crude oil was sourced on the commercial market. There is no strategic dependence on oil from Libya. The Whitegate refinery is currently sourcing adequate crude oil supplies on the world market.

However, the present crisis in North Africa once again underlines the imperative for Ireland and Europe to reduce dependence on fossil fuels through accelerated development of renewable energy resources and radically enhanced energy efficiency.

In line with Ireland's binding national target under the EU Renewable Energy Directive, the National Renewable Energy Action Plan sets out the measures being taken to deliver 40% renewable electricity by 2020. The target is ambitious but is achievable. In the last five years Ireland has doubled the amount of renewable electricity on the system from over 6% in 2005 to over 13% in 2010. Reducing our national reliance on oil in the transport sector is a daunting challenge. Ensuring that Ireland is to the forefront of the electrification of transport over the next decade will be a critical priority together with progressive penetration of biofuels in to the fuel market.

Departmental Staff

46. **Deputy Seán Kenny** asked the Taoiseach the number and the grade of staff in the Offices of the Director of Public Prosecution, the Chief State Solicitor and the Attorney General; and the number of vacancies by rank in each of these offices. [6741/11]

The Taoiseach: The number of staff serving in the Office of the Director of Public Prosecutions at 1 April 2011 was 195. The Office is carrying six vacancies.

The number of staff serving in the Chief State Solicitor's Office at 1 April 2011 was 219.43. The Office is carrying four vacancies.

The number of staff in the Office of the Attorney General (which includes the Office of the Chief Parliamentary Counsel to the Government) at 1 April 2011 was 122.8. The Office is carrying three vacancies.

A breakdown of the numbers serving and vacancies in each Office by grade is set out below.

Director of Public Prosecutions: Numbers serving (vacancies)

1 Director of Public Prosecutions
 1 Deputy Director of Public Prosecutions
 1 Head of Directing Division
 1 Chief Prosecution Solicitor
 1 Deputy Chief Prosecution Solicitor
 3 Professional Officer Grade II
 13 Professional Officer Grade III
 9 Professional Officer Grade IV
 5 Principal Prosecution Solicitor
 1 Head of Prosecution Policy Unit
 9 Senior Prosecution Solicitor
 40 Prosecution Solicitor (plus two vacancies)
 1 Principal Legal Executive
 0 Deputy Principal Legal Executive (one vacancy)
 4 Assistant Principal Legal Executive
 4 Higher Legal Executive
 7 Legal Executive
 1 Trainee Law Clerk
 1 Legal Research Officer (plus two vacancies)
 1 Law Librarian
 1 Assistant Librarian
 1 Principal Officer
 6 Assistant Principal
 11 Higher Executive Officer
 10 Executive Officer
 6 Staff Officer
 46 Clerical Officer (plus one vacancy)
 4 Services Officer
 6 Contract Prosecution Solicitors

Chief State Solicitor's Office: Numbers serving (vacancies)

1 Chief State Solicitor
 4 Assistant Chief State Solicitor (plus one vacancy)
 10.8 Deputy Assistant Chief State Solicitor
 12.6 Principal Solicitor
 69.6 State Solicitor

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5 State Solicitor (Contract)

0 Legal Cost Control Officer (one vacancy)

1 Principal Legal Executive

1 Deputy Principal Legal Executive

5.5 Assistant Principal Legal Executive

8.83 Higher Legal Executive

11.5 Legal Executive (plus two vacancies)

1 Principal Officer

3.8 Assistant Principal Officer

1 Accountant

6 Higher Executive Officer

1 Librarian

11.8 Executive Officer

9.2 Staff Officer

49.8 Clerical Officer

4 Services Officer

1 Cleaner

Office of the Attorney General: Numbers serving (vacancies)

1 Director General

1 Chief Parliamentary Counsel

1 Co-ordinator of EU and ECHR Law

1 First Parliamentary Counsel

1 Deputy Director General

5 Advisory Counsel Grade I (plus one vacancy)

4 Parliamentary Counsel

14.4 Advisory Counsel Grade II

7 Assistant Parliamentary Counsel Grade I

1 Principal Officer

9.6 Advisory Counsel Grade III

13.8 Parliamentary Counsel Grade II

6 Assistant Principal Officers

9 Higher Executive Officers

9 Executive Officers

4 Staff Officers

28.7 Clerical Officers (plus two vacancies)

1 Special Adviser to the Attorney

1 Personal Assistant to the Attorney

4 Legal Researchers

0.3 Canteen Operative

Census of Population

47. **Deputy Pearse Doherty** asked the Taoiseach the numbers of persons employed by the Central Statistics Office to implement the enumeration of census 2011; of these, the number of persons that were on the live register; and if he will make a statement on the matter. [6329/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): A total of 4,854 people are currently employed as census enumerators (engaged in a part-time capacity) to carry out the field work on the 2011 census. All of the recruitment for the census field operation has been carried out by the CSO under licence by the Commission for Public Service Appointments and complies with their strict recruitment principles regarding fairness, equality, openness and transparency.

On taking up employment as enumerators, 3,077 people indicated that they were not in employment and 1,777 indicated some form of other employment. However it is important to note that all applicants for enumerator positions were assessed at interview on their availability for census work (given the need to make frequent calls to households at different times of the day); those in full-time work were assessed as having low availability and so would be unlikely to be offered enumerator positions ahead of other suitably qualified candidates. It is more likely that those in existing employment are working part-time elsewhere. It was not open to the CSO to exclude people on this basis. Out of the total of 4,854 enumerators, 740 indicated at interview that they were on the Live Register representing 15% of all enumerators.

Supreme Court Appeal

48. **Deputy Pearse Doherty** asked the Taoiseach if he will withdraw the Government's Supreme Court appeal to the Doherty decision which was secured in the High Court and which related to the filling of a casual vacancy in the Donegal South West constituency; and if he will make a statement on the matter. [6670/11]

The Taoiseach: An appeal was commenced in the matter last year and is now pending before the Supreme Court on a point of constitutional law. It would not be appropriate to comment on its status.

Official Engagements

49. **Deputy Caoimhghín Ó Caoláin** asked the Tánaiste and Minister for Foreign Affairs if he will provide the dates and itinerary of the visit of the Queen of England to this State; and if he will make a statement on the matter. [6362/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): A State Visit to Ireland by Queen Elizabeth II is anticipated to take place in the near future. The final dates and the programme for the State Visit are still under consideration and we are working closely with the British side on developing a programme which reflects the strength and vibrancy of our bilateral relationship. Reconciliation between Ireland and Great Britain has been hugely advanced over recent decades, most importantly through the working together of successive Irish and British governments on the peace process, and the Government is of the view that it is right and timely that this transformation of relations between our two countries should be reflected in the State visit to Ireland by Queen Elizabeth II.

State Visits

50. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs the arrangements for State visits in the coming months. [5811/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): There are two State Visits due to take place in the near future. The State Visit by Prince Albert takes place from 4-6 April and marks the 50th anniversary of the visit of his parents, Princess Grace and Prince Rainier to Ireland in 1961.

A State Visit to Ireland by Queen Elizabeth II is anticipated to take place in the near future. The final dates and the programme for the State Visit are still under consideration and we are working closely with the British side on developing a programme which reflects the strength and vibrancy of our bilateral relationship.

Trade Relations

51. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs his plans to implement the African trade strategy which was developed by the previous Government. [5916/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The Government attaches great importance to the continuing development of Ireland's relations with Africa as a whole, and with individual African countries. My Department manages a significant development cooperation programme, Irish Aid, which is strongly focused on sub-Saharan Africa. Our broader relations with Africa are managed through our Embassy network across that continent, as well as through our relationships with the European Union, the United Nations, and other international bodies. While development needs remain very evident, Africa is also undergoing major political, economic and social change, and it is important that we consider ways of strengthening our approach to Africa in order to respond to these changes. Trade, investment and business-to-business exchange are increasingly important emerging facets of our relationship with Africa, and we will be sharpening our focus on identifying opportunities in these areas. As the Deputy will be aware, officials in my Department have been examining ways to strengthen all aspects of our relations with our African partners in the political, economic, and development spheres, including through the development of a strategy for the mutually beneficial enhancement of trade between Ireland and Africa.

Some practical work has already been done in this area in terms of staff training and enhancing the capacity of our Embassies in Africa to undertake economic and trade work and we are looking to build on this. The enhanced role for the Department of Foreign Affairs in the trade area will also facilitate greater coherence in this regard in Africa. A broad review of our relations with Africa, and options for strengthening these, is at an advanced stage in my Department, and I envisage that I will be making a more detailed statement on our plans and priorities in this regard in the near future. I would underline that poverty, hunger and under-development continue to be the greatest obstacles for Africa, and efforts to eradicate these will continue to be a key focus in our work with African partners.

Departmental Expenditure

52. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs the funding he provides to Co-operation Ireland; and if he will make a statement on the matter. [6658/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The objective of the Department of Foreign Affairs' Reconciliation Fund is to assist individuals and organisations involved in reconciliation work and to encourage and facilitate better relations within and between the nationalist/republican and unionist/loyalist traditions on the island of Ireland and also relations between Ireland and Britain. Each year, applications to the Fund are received from a broad range of organisations and groups. Since its foundation in 1979, Co-operation

Ireland has undertaken valuable and important work in the reconciliation field. Since 1999, it has received grant aid totalling just over €4 million from the Reconciliation Fund in support of its cross-border community and youth activities and other exchanges.

Any further funding applications received from Co-operation Ireland will continue to be considered on their merits.

International Agreements

53. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs if he supports the UN millennium development goals to tackle global hunger; and if he will make a statement on the matter. [6660/11]

Minister of State at the Department of Foreign Affairs (Deputy Jan O’Sullivan): The Millennium Development Goals (MDGs) were agreed by world leaders at the United Nations in 2000 as the framework for international development policy up to 2015. For the first time the MDGs provide a clearly measurable way in which the world can track progress in relation to reducing global poverty. Last September, the MDG Review Summit in New York assessed progress against each of the Goals and set out the measures required for their achievement by 2015.

Hunger is one of the key determinants of poverty and exclusion. The first MDG aims to halve the proportion of people suffering from poverty and hunger. Yet almost one billion people go hungry each evening. This is unacceptable. As a result of the work of the Hunger Task Force, reducing hunger has been placed as a key pillar of Ireland’s development cooperation policy and indeed foreign policy. In Ireland this is an issue which has garnered support right across the political spectrum. The Government will continue to ensure that hunger remains at the forefront of our development efforts in the years ahead.

In particular I would emphasise the close cooperation we have with the US in advancing this priority. At the recent St Patrick’s Day meetings in Washington the Taoiseach and President Obama discussed hunger. The Tánaiste and Secretary of State Clinton also discussed the matter and agreed to work closely in the coming months to galvanise action, in particular in sub-Saharan Africa, to combat under-nutrition in pregnant women and infants. We are also working closely with our EU partners to advance the issue. In my role as Minister of State with responsibility for development I intend to visit a number of our Programme Countries in the coming months to see what more Ireland can do to prioritise this issue and to strengthen our work on hunger.

The Government remains strongly committed to working with our partners for the achievement of the MDGs, with a strong focus on sub-Saharan Africa and on the eradication of extreme poverty and hunger.

International Awards

54. **Deputy Micheál Martin** asked the Tánaiste and Minister for Foreign Affairs when successful applicants to the Fulbright International Science & Technology Award will be announced; and if he will make a statement on the matter. [6657/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The Fulbright International Science & Technology Award was initiated in 2006 and offers students in science and technology the US government’s most prestigious and valuable scholarship. It is advertised internationally to attract the most highly qualified young candidates in the countries in which Fulbright operates to study at America’s leading universities. Each year it provides successful candidates with fully funded PhD studies worth approximately \$60,000 per annum for a maximum of 5 years. To date, Ireland has had 5 successful awardees in the competition which

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opens in February and closes in May two years before the relevant academic year. Ireland's two International Fulbright Science and Technology Awardees, for the 2011 — 2012 academic year Ms. Ellen Roche and Ms. Elizabeth O'Sullivan, were notified on 3 September 2010 and are currently finalising their choice of US institution. The 2012-13 competition for the International Fulbright Science and Technology Award opened in February 2011. The deadline for applications is noon on 18 May 2011. Eligible candidates will be interviewed thereafter by the US-Ireland Commission for Educational Exchange and the applications of shortlisted candidates must then be forwarded to an international selection panel in the US by 15 June 2011. Candidates successful in the 2012 — 2013 competition will be notified in September 2011.

Missing Persons

55. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Foreign Affairs if he will provide an update regarding a missing person (details supplied); the action he will take to have this case solved; and if he will make a statement on the matter. [6392/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): As the Deputy will be aware, the Department of Foreign Affairs, through the Consular Assistance Section in Dublin and the Irish Embassy in Madrid, has been providing assistance in the case of the person mentioned by him since her disappearance on 1 January 2008. Since the previous parliamentary reply to the Deputy, PQ 213 of December, 2010, the status of the case of the missing Irish girl in Spain has not changed. Our Embassy in Madrid remains in contact with the Guardia Civil in relation to the case and is ready to assist her family in whatever way possible. I am informed that, unfortunately, there are no new definitive leads as to her whereabouts.

However, I am assured that the Spanish authorities continue to investigate her case with the hope of finding her, that the senior police officer leading the investigation has undertaken to keep the Embassy informed of any developments, that her case is still considered by them as a missing person's case, and that any information received will be passed on immediately to the family both in Spain and in Ireland.

I would like to assure the Deputy that the Department of Foreign Affairs maintains a strong interest in following this case with the Spanish police and that it will continue to provide all possible consular assistance to the extended family.

I would also like to express my full understanding of the acute distress the disappearance of the girl is causing all her extended family.

Undocumented Irish

56. **Deputy Pádraig Mac Lochlainn** asked the Tánaiste and Minister for Foreign Affairs the way he plans to help the 50,000 undocumented Irish living in the United States by seeking an extension to the E3 work visa currently available to Australian nationals, given that any variation of this type of visa is specifically relevant to new applicants thus disqualifying those already living in the United States; and if he will raise this issue with President Barack Obama during his State visit in May; and if he will make a statement on the matter. [6408/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): Addressing the situation of the undocumented Irish and reforming our migration arrangements with the United States are important priorities for the Government in its relationship with the US Administration and Congress. I believe that the inclusion of Ireland in an amended reciprocal E3 visa scheme is the most effective way of creating new opportunities for Irish citizens to work in the US on a two year renewable visa. The introduction of such a scheme, which has attracted

support from a number of members of Congress from both parties, will require the passage of legislation in Congress.

The successful passage of E3 visa legislation would not provide a comprehensive solution to the situation of the undocumented Irish. It would, however, strengthen the human bridge between the two countries, which underpins our excellent existing bilateral relations, and provide a mechanism for Irish nationals seeking to work in the USA in the future. The most realistic long term solution for our undocumented citizens remains through comprehensive reform of the immigration system.

The Taoiseach raised the issue of the undocumented and the potential for the introduction of an E3 visa with President Obama during his St Patrick's Day visit to Washington. I also discussed the issue with Secretary of State Clinton during our meeting on 18 March and with the Irish Lobby for Immigration Reform and the Coalition of Irish Centres in New York on 16 March.

While the agenda for President Obama's visit to Ireland in May is not yet finalised, I expect that immigration related issues will be raised by the Government in our meetings with the President.

The Government is encouraged by President Obama's continued commitment to addressing the question of immigration reform. Speaking as recently as 28 March, the President reiterated his support for comprehensive reform of the immigration system, allowing a pathway to citizenship for those who are just looking for a better life and contributing to the country.

I am very aware of the enormous political challenges that face efforts to pass any immigration related legislations at the current time, including the E3 proposal. These difficulties were clearly demonstrated by the failure of efforts to pass the limited DREAM Bill at the end of 2010- a measure that had enjoyed strong public and political support.

My Department, and the Embassy in Washington in particular, will continue to work proactively on the issue with the US Administration, Congressional leaders and Irish immigration reform advocates.

57. Deputy Pádraig Mac Lochlainn asked the Tánaiste and Minister for Foreign Affairs if his attention has been drawn to the fact that the most common form of US work visa, the HB1, is limited to those holding a university degree in a specialty occupation and supported by a labour condition application from a US employer with whom the applicant must be employed on the prevailing wage structure and the way such a scheme could be applied to the current undocumented Irish living in the US; and if he will make a statement on the matter. [6409/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The United States operates a range of non-immigrant visa programmes to facilitate entry into that country by nationals of other countries to undertake a number of work related and other activities. One such scheme is the H-1B visa which is limited to applicants with a U.S sponsoring company, working in a number of specialty occupations. Under US Congressional legislation, a maximum of 65,000 H-1B visas can be issued each year. It is a requirement that the visa holder has completed a specific course of higher education. The quota of visas can often be filled early in the year. Figures from the U.S State Department indicate that 616 H-1B-type visas were issued to Irish citizens in 2010.

The participation of Irish citizens in U.S. visa programmes helps to maintain the human bridge between the United States and Ireland and underpin the excellent relations between the two countries.

[Deputy Eamon Gilmore.]

Addressing the situation of the undocumented Irish and reforming our migration arrangements with the United States are important priorities for the Government in its relationship with the US Administration and Congress. However, the consistent advice from key contacts Congress is that a comprehensive solution for the undocumented would not be achieved through existing visa schemes such as the H-1B visa.

I have outlined my position on the undocumented and the proposed E3 visa in my reply to question number 56 of today.

Foreign Conflicts

58. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs if Ireland has now abandoned its own independent foreign policy on international conflicts; and if he will provide his position on NATO. [6468/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): Ireland conducts its international relations in accordance with the values set out in Article 29 of the Constitution. These include commitment to the ideal of peace and friendly co-operation amongst nations founded on international justice and morality, adherence to the principle of the pacific settlement of international disputes, and acceptance of the generally recognised principles of international law. Ireland attaches considerable importance to the peaceful resolution of conflict and, together with other countries which share these values, works towards this end through its action in the United Nations, the European Union and other international obligations. Partly because of the history which has shaped us and our experience of the Northern Ireland peace process, we bring a distinctive perspective to the resolution of conflict around the world and I look forward to the opportunities which our Chairmanship of the OSCE next year will provide for a strengthened Irish contribution in this respect.

As a member of the United Nations and in accordance with the UN Charter, we also acknowledge that primary responsibility for the maintenance of international peace and security rests with the UN Security Council, and we agree that in carrying out its duties under this responsibility the Council acts on behalf of all members. We take seriously the obligation we have assumed to give the organisation every assistance in any action it takes in accordance with the Charter.

This obligation is reflected in our readiness to participate in a significant number of peace operations authorised by the United Nations, whether these are undertaken under direct UN command or are led by the European Union or by NATO, and in our support for the actions of other States acting in pursuit of and consistent with Security Council Resolutions.

As the Deputy will be aware, Ireland is not a member of NATO. I foresee no change in this position. Our relations with NATO are conducted within the framework of the Euro-Atlantic Partnership Council (EAPC) and Partnership for Peace (PfP), which we joined in 1999. The EAPC is a forum for consultation involving all PfP participants on a wide range of issues, from peacekeeping to humanitarian assistance and disaster relief. Participation in the PfP has also strengthened the ability of the Defence Forces to participate effectively and safely with other nations in UN-authorised operations.

Undocumented Irish

59. **Deputy Jerry Buttimer** asked the Tánaiste and Minister for Foreign Affairs the discussions he had in the USA regarding the plight of the undocumented Irish in the USA. [6641/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): Addressing the situation of the undocumented Irish and reforming our migration arrangements with the United States are important priorities for the Government in its relationship with the US Administration and Congress. I believe that the inclusion of Ireland in an amended reciprocal E3 visa scheme is the most effective way of creating new opportunities for Irish citizens to work in the US on a two year renewable visa. The introduction of such a scheme, which has attracted support from a number of members of Congress from both parties, will require the passage of legislation in Congress.

The successful passage of E3 visa legislation would strengthen the human bridge between the two countries, which underpins our excellent existing bilateral relations, and provide a mechanism for Irish nationals seeking to work in the USA in the future. It is the case, however, that the E3 would not provide a solution to the undocumented Irish in the US. The most realistic long term solution for our undocumented citizens remains through comprehensive reform.

I discussed the issue of Irish immigration with Secretary of State Clinton during our meeting on 18 March and with the Irish Lobby for Immigration Reform and the Coalition of Irish Centres in New York on 16 March. The Taoiseach also raised the issue of the undocumented and the potential for the continued development of Ireland's migration arrangements with the US with President Obama during his St Patrick's Day visit to Washington

The Government is encouraged by President Obama's continued commitment to addressing the question of immigration reform. Speaking as recently as 28 March, the President reiterated his support for comprehensive reform of the immigration system, allowing a pathway to citizenship for those who are just looking for a better life and contributing to the country.

I am very aware of the enormous political challenges that face efforts to pass any immigration related legislation at the current time, including the E3 proposal. These difficulties were clearly demonstrated by the failure of efforts to pass the limited DREAM Bill at the end of 2010 — a measure that had enjoyed strong public and political support.

My Department, and the Embassy in Washington in particular, will continue to work proactively on the issue with the US Administration, Congressional leaders and Irish immigration reform advocates.

Middle East Peace Process

60. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs if he will recognise a Palestinian state in the 1967 borders that it is in the West Bank including the east Jerusalem and Gaza; and if he will accord the Palestine state full diplomatic relations.
[6700/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): I refer the Deputy to my answer to Question No.16 answered on 22 March, which is outlined below. A number of countries, principally in Latin America and including Brazil, Argentina and Chile, have recently decided to recognise a Palestinian state. This is in addition to those states — mostly in Africa or in the Islamic world — who have recognised Palestine for many years.

Over thirty years ago, Ireland, in a speech by my predecessor of the day, the late Brian Lenihan, was the first EU Member State to declare that the resolution of the Palestinian issue must involve the establishment of a Palestinian state. That is now the policy of the EU and of the international community. I share the commitment of successive Irish Governments to this policy and will be working towards its realisation.

[Deputy Eamon Gilmore.]

It would be premature to declare such recognition now, in advance of actual control of the territory in question, a condition to which we in Ireland attach significance. It is also important to recall that the Palestinian leadership, while clearly working towards the declaration of a State in the near future, have not yet done so. The timing of such a declaration will be an important decision for them to take, and may involve potential negative consequences on the ground.

Separately, a number of EU partners, including Ireland, France, Spain, Portugal and the UK have recently taken steps to upgrade the status of the Palestinian Delegations in their countries, largely in recognition of the continuing progress being made by Prime Minister Fayyad and the Palestinian Authority in building up the institutions of a future Palestinian state. By a decision of the previous Government in January — which I fully endorse — the Palestinian representative office in Ireland was upgraded to Mission status, headed by an Ambassador.

I very much hope to be able to extend Irish recognition of an actual, functioning Palestinian state during my time in office.

Anti-Racism Measures

61. **Deputy Thomas Pringle** asked the Tánaiste and Minister for Foreign Affairs if he will make contact with the Scottish First Minister Alex Salmond as a matter of urgency regarding the continuing problem of anti-Irish racism in Scotland to ascertain the steps the Scottish executive are taking to counteract this on going problem. [6703/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): I take it that the Deputy is referring to recent reports of sectarian behaviour at football matches which took place in Scotland in the last month or so. Matters of this nature are kept under constant review by the Scottish Government, which has repeatedly stated that there is no place for racism or sectarianism — in relation to any community — in Scotland. I welcome the decision in March by the Scottish First Minister Alex Salmond to establish a Joint Action Group to implement a series of measures to support the work of football clubs, local authorities and police with communities to address alcohol misuse, sectarianism, racism, domestic abuse and violence. I am very aware of the concerns of the Irish community in Scotland and know that they will help to contribute to this initiative.

We share the view of the Scottish Government that racism and sectarianism are abhorrent in all their forms and are contrary to the spirit in which any sport is played. I can assure the Deputy that our Consul General of Ireland in Edinburgh continues to maintain dialogue on these matters with the Scottish authorities and to report back to my Department.

Travel Statistics

62. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs the number of Irish persons who have visited China, Japan, New Zealand, Thailand and South Africa in 2007, 2008, 2009, 2010 and to date 2011. [6740/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The statistics sought by the Deputy are not immediately available to my Department and may not have been collated by the authorities of the countries concerned. I will make enquiries with Embassies to these countries and notify the Deputy of the outcome.

Departmental Agencies

63. **Deputy Olivia Mitchell** asked the Tánaiste and Minister for Foreign Affairs the number of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems and the reason such a function could not be provided by his Department. [6801/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): There are no semi-State bodies or authorities under the auspices of the Department of Foreign Affairs. There are four bodies operating under the aegis of this Department. These are: the Ireland-United States Commission for Educational Exchange (the Fulbright Commission); the Development Education Advisory Committee; the Irish Aid Expert Advisory Group; and the Emigrant Services Advisory Committee. The Minister for Foreign Affairs makes the appointments to these bodies.

The only body that operates an independent payroll system is the Ireland-United States Commission for Educational Exchange (the Fulbright Commission), which was established under the Educational Exchange (*Ireland and the United States*) Act, 1991 to facilitate the administration of educational and cultural exchanges between Ireland and the United States of America. Section 2 of that Act provides that "*the Commission shall enjoy autonomy of management and administration*".

Human Rights Issues

64. **Deputy Joan Collins** asked the Tánaiste and Minister for Foreign Affairs his plans to meet with the Dalai Lama on his upcoming visit here in April; his views on the recognition of Tibet as an independent state; his further views regarding human rights violations in Tibet; and if he will make a statement on the matter. [6822/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The Dalai Lama is visiting Ireland during April at the invitation of a number of Non-governmental Organisations.

The Government is committed to the One-China policy which acknowledges Tibet as part of China. We believe that constructive dialogue between the Chinese Government and the representatives of the Dalai Lama is the best way to address differences and tensions in Tibet over issues of culture, language, religion and identity. It is important for the long-term peace and stability of the region that the two sides come to an agreement on the future of Tibet.

The Government continues to convey its concerns about the situation in Tibet and related human rights issues directly to the Chinese authorities through regular contacts in both Dublin and Beijing and in the course of bilateral political consultations. The issues of Tibet and human rights are also regularly raised by the European Union with China including at the annual EU-China Summit and during the separate EU-China Human Rights Dialogue.

I have no plans to meet with the Dalai Lama during his visit.

Departmental Expenditure

65. **Deputy Gerald Nash** asked the Tánaiste and Minister for Foreign Affairs if he will make funding available on a once-off basis to an organisation (details supplied) as applied for under the Reconciliation Fund; and if he will make a statement on the matter. [6828/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): I thank the Deputy for his interest in the Reconciliation Fund which is operated by my Department. The objective of the Reconciliation Fund is to assist individuals and organisations involved in reconciliation work and to encourage and facilitate better relations within and between the

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nationalist/republican and unionist/loyalist traditions on the island of Ireland and also relations between Ireland and Britain. A separate Anti-Sectarianism Fund operates alongside the Reconciliation Fund to provide financial assistance towards projects in communities that are seeking new and more effective ways of addressing sectarianism and division in society. Since 2007, the overall annual allocation to the two Funds has been €3 million.

Project applications are assessed in the light of the objectives of the Funds and in light of the advice of an Inter-departmental Advisory Committee which comprises official-level representatives from the Departments of An Taoiseach, Justice and Law Reform, Education and Skills and my own Department.

All applications will be examined over the coming weeks, ahead of the first funding round of 2011.

National Lottery Funding

66. **Deputy Joe McHugh** asked the Minister for Finance if he will consider reallocating funds from the lottery fund to the Exchequer for a specific period of time so that it could be used to reduce public debt; and if he will make a statement on the matter. [6416/11]

Minister for Finance (Deputy Michael Noonan): Section 5 of the National Lottery Act 1986 provides that the surplus from the National Lottery may be used for the following purposes: sport and other recreation; national culture, including the Irish language; the arts, within the meaning of the Arts Act 1951; the health of the community; and for such other purposes as the Government may determine. The following additional categories have been so determined: youth, welfare, national heritage and amenities. In order to give effect to this statutory provision, the surplus from the National Lottery is transferred to the Exchequer on a regular basis and is applied each year to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes. Each year, the amount transferred to the Exchequer from the National Lottery surplus, together with details of the total Exchequer allocations to the relevant subheads, are set out in Appendix 1 of the annual “Revised Estimates for Public Services”.

The allocation of funds from the National Lottery surplus towards the reduction of the public debt would require a change in legislation and it would also mean that Exchequer support for many programmes and projects would have to cease. It is not intended to pursue this approach.

State Assets

67. **Deputy Richard Boyd Barrett** asked the Minister for Finance the State assets that are being considered for sale or privatisation as referred to in the programme for Government and arising out of conditions from the International Monetary Fund-EU loan package; and if he will make a statement on the matter. [6426/11]

Minister for Finance (Deputy Michael Noonan): The sale of non-strategic State assets provided for in the Programme for Government does not, as the Deputy’s question suggests, arise from the conditions of the financial assistance programme agreed with International Monetary Fund, the EU Commission, and the ECB. Under the NewERA plan set out in the Programme for Government, State asset sales will fund investment in key networks of the economy, so as to support demand and employment in the short-term, and to provide the basis for sustainable, export-led jobs and growth. The issue of asset disposals will be considered further after the Government has examined the report and recommendations of the Review Group on State Assets and Liabilities, which is to be finalised shortly by the Group.

Valuation Act

68. **Deputy Brendan Griffin** asked the Minister for Finance if he will consider amending the 2001 legislation in relation to rate valuation for business so that businesses can apply to have valuations carried out on an individual basis; and if he will make a statement on the matter. [6606/11]

Minister for Finance (Deputy Michael Noonan): I should point out that the Commissioner of Valuation is independent in the exercise of his duties under the Valuation Act, 2001 and that I, as Minister for Finance, have no function in decisions in this regard. The Valuation Act 2001 which came into effect on 2 May 2002, provides that all buildings used or developed for any purpose are rateable unless expressly exempted under Schedule 4 of the Act.

The basis of rateable valuation for all business premises is net annual value (NAV) i.e. the rental value of the premises. Like all commercial property, the valuations of business premises are determined by reference to the values of comparable properties on the same valuation list.

Under section 27 of the Act, an owner/occupier of an individual business premises who has concerns about the valuation of their property or any part thereof, including its rateability or the method of calculation may, on payment of a statutory fee of €250, apply to the Valuation Office for a revision of the valuation. A Revision Officer of the Commissioner is then appointed, who may carry out a revision of valuation in relation to a particular property only if a material change of circumstances (MCC) has occurred since the property was last revised. MCC is defined in section 3 of the Act as a change of circumstances, which consist of a new building, a change in value due to structural alterations of an existing building, total or partial demolition of a building or a sub-division or amalgamation of relevant property. The definition does not allow for a revision of valuation where the change in value is due to economic factors, differential movements in property values or other external factors such as roads or other infrastructural development in the vicinity of a property. The valuation of commercial property is determined by reference to the values of comparable properties on the same valuation list.

I have no plans at present to introduce amendments to the legislation; however, my officials are reviewing various provisions of the Valuation Act 2001 to achieve greater efficiencies, including streamlining the appeal process.

Departmental Schemes

69. **Deputy Pat Breen** asked the Minister for Finance his plans regarding the cycle to work scheme; if he will renew this scheme; and if he will make a statement on the matter. [6868/11]

Minister for Finance (Deputy Michael Noonan): The cycle-to-work scheme was introduced in Finance (No. 2) Act 2008 and continues to operate. At present there are no plans for its amendment.

Tax Code

70. **Deputy Mary Mitchell O'Connor** asked the Minister for Finance if he will examine the status of commercial rates in the Dún Laoghaire-Rathdown local authority area, which are set at the valuation date of 30 September 2005, when property rental values were much higher than in the current economic climate, a situation which is placing undue financial pressure on ratepayers; and if he will make a statement on the matter. [6887/11]

Minister for Finance (Deputy Michael Noonan): The Valuation Act 2001 which came into effect on 2 May, 2002 provides for the valuation of all commercial and industrial property in the State. I should point out that the Commissioner of Valuation is independent in the exercise

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of his duties under the Act and that I, as Minister for Finance, have no function in decisions in this regard. The recent revaluation of the Dun Laoghaire-Rathdown County Council rating authority area was undertaken after the required consultation by the Commissioner with both the Minister for the Environment, Heritage and Local Government and Dun Laoghaire-Rathdown County Council and the subsequent making by the Commissioner of the requisite Valuation Order in June 2008. The Valuation date was 30 September 2005, the same date as was used for the revaluations of South Dublin and Fingal. The new valuation list was published on 31 December 2010. By reference to this list, approximately 54% of ratepayers experienced a decreased rates liability, while 46% will have an increased rates liability.

As provided in the Act, and as advised to all ratepayers in the Dun Laoghaire-Rathdown area, there is provision for any ratepayer to formally appeal to the Commissioner of Valuation against the rateable valuation accorded his/her property in the valuation list published on 31 December, 2010. These appeals are now being considered by the Commissioner. If any ratepayer is still dissatisfied with their valuation, they can appeal to the independent Valuation Tribunal and, ultimately, to the Courts on a point of law. The purpose of a revaluation is not to increase the total amount of commercial rates collected by local authorities. The legislation (Valuation Act 2001 and the Local Government (Business Improvement Districts) Act 2006) provides that the commercial rates income of local authorities in the year following a revaluation will be capped. The only increase in the total rates income of a local authority permitted in the year following publication of the new valuation list is an increase to cover for the rate of inflation.

The choice of Valuation Date does not affect the overall commercial rates income of a local authority. The amount of rates payable on any property is the result of multiplying two variables: the Valuation, which is in line with rental values at the Valuation Date and the ARV—the annual rate on valuation, which is calculated by the local authority. Since the total amount of rates to be collected by the local authority is capped in the year after the revaluation takes place, the only movements are between the total amount of valuations and the ARV.

If the valuation date of 30 September 2005 was altered and, as a result, produced a lower total valuation overall, then the ARV would increase, so that the local authority receives the pre-determined amount of rates income in the year following the Revaluation. Likewise, if a different valuation date produced a higher total valuation overall, then the ARV would reduce to provide the local authority with the same pre-determined amount of rates income. Therefore, changing the date of valuation will not affect the overall amount of rates income received by a local authority in the year following Revaluation.

While individual increases or decreases in rates liability will inevitably be the result of a revaluation, such increases or decreases will reflect movements over time in the overall property market, and result in a fairer, more transparent rating system.

FÁS Training Programmes

71. **Deputy David Stanton** asked the Minister for Finance if placements are to be made available in the Revenue Commissioners local tax offices through the public sector work placement programme stream 1; when he expects this to occur; and if he will make a statement on the matter. [6896/11]

Minister for Finance (Deputy Michael Noonan): The Public Service Agreement 2010-2014 (“Croke Park” Agreement) provides that there will be full support in the Civil Service and State Agencies with the FÁS Work Placement Programme. The Programme, which comprises two streams, stream 1 for graduates and stream 2 for other unemployed persons, provides up

to 9 months work experience and aims to assist the unemployed persons to retain their skills levels and/or secure work experience that will assist them in getting a job. Placements under the scheme cannot displace an existing member of staff or be used to fill a vacant post. I have been advised by the Revenue Commissioners that they are engaged in the Graduate stream (stream 1) on a pilot basis in its Research and Analytics Branch. The available placements, which are in the Statistics and Economics areas, are currently advertised on the FÁS website and at <http://www.revenue.ie/en/about/careers/fas-work-placement/index.html>. Following the outcome of this pilot, I understand Revenue will consider the rollout of the programme to other areas across the organisation. However, given the nature and objectives of the programme it is unlikely that any suitable placements would arise in local tax offices.

Public Sector Pay

72. **Deputy Joan Collins** asked the Minister for Finance the number of persons currently earning over €250,000 gross in the employ of the State; the total amount of wages that the persons on over €250,000 gross have earned for the first three months of 2011; the way he can justify top bosses in the commercial semi State sector earning more than the new salary cap which is already more than six times the average industrial wage; if he proposes that this salary cap be reduced from the current level of over six times the average industrial wage; and, if so, the amount by which he proposes to reduce the salary cap and the advice he has received in relation to changing contracts that currently pay above the €250,000 salary cap in view of our ongoing economic crisis. [6410/11]

73. **Deputy Michael McGrath** asked the Minister for Finance if he supports the previous Government's policy decision to implement a maximum salary cap in the public sector of €250,000 and, if so, the steps he will take to ensure the salary cap is adhered to by State agencies and commercial State companies. [6473/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 72 and 73 together.

The Government supports a strong policy of pay restraint within the public sector, including the application of pay caps. On assumption of office the Taoiseach, other members of the Government and a number of other officeholders have, in line with that commitment, voluntarily reduced their salary rates, with the Taoiseach's salary now set at €200,000.

Following the announcement of the proposed salary cap of €250,000 in the public sector in his budget 2011 speech, the then Minister for Finance acknowledged there would be contractual issues in relation to the application of that cap to current incumbents of posts. This remains the position. I propose to give further consideration as to how best to effect reductions in the remuneration of such posts in the light of the contractual issues identified.

From information available there are 28 individuals in the Commercial State Companies (9), Non Commercial State Agencies (5), the Oireachtas (1), the Education Sector (4) and the Judiciary (9) in receipt of salaries in excess of €250,000. There are no persons in either the Civil Service or in the Local Authorities with salaries in excess of €250,000.

In addition to the above, certain Academic Consultants at professorial level in the Health Sector are in receipt of remuneration in excess of €250,000 per annum. While the HSE have confirmed that there are 168 Academic Consultants, it has advised that a break down of the numbers between professorial and other grades in the academic consultant stream by contract type is not available. However, full details of current remuneration payable to consultant grades in the Health Service Executive in respect of each contract type can be found at www.hseea.ie.

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It is to be noted that remuneration rates in the Central Bank Financial Services Authority of Ireland are solely a matter for the Board of the Bank and the Authority to determine while the remuneration packages of all National Treasury Management Authority staff (which includes the staff of the National Asset Management Authority) are negotiated on an individual contract basis and are confidential. In these circumstances any staff in these bodies who may be in receipt of salaries in excess of €250,000 are not included in the 28 posts cited above.

The amount of actual earnings for the first three months of 2011 of the persons in the 28 posts cited above is not available as payments are not made centrally but through each relevant person's own payroll section. It is also to be noted that some individuals may be taking a voluntary reduction in pay. The salary to apply to future appointees to relevant positions in the public service will be considered on a case by case basis, having regard to the overall need for pay restraint. In terms of the salaries of CEOs of Commercial State Companies such salaries require the agreement of both the relevant Minister and the Minister for Finance. The current arrangements for setting the remuneration of the commercial State sponsored bodies is based on comparative posts in the private sector — the last such review took place in 2007. It is my intention to give further consideration to the overall remuneration package of CEOs of Commercial State Companies. In the interim the salary to apply to future appointees to any such positions that fall vacant will be considered on a case by case basis.

Proposed Legislation

74. **Deputy Michael McGrath** asked the Minister for Finance his plans to introduce legislation to facilitate burden sharing with different classes of bondholders. [6476/11]

86. **Deputy Michael McGrath** asked the Minister for Finance in view of the results of the bank stress tests, if he will provide details of his plans to achieve burden sharing with senior unsecured bank bondholders. [6587/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 74 and 86 together.

The Credit Institutions (Stabilisation) Act 2010 ('the Act') enacted in December 2010 provides legislative scope for appropriate burden-sharing in relation to subordinated debt. A subordinated liabilities order can be made under the Act in relation to the subordinated liabilities of a relevant institution to which the Minister has provided or intends to provide financial support. These orders can postpone, terminate, suspend or otherwise modify specific rights, terms and obligations associated with subordinated liabilities or require the institution concerned to acquire the subordinated liabilities for a specified consideration. Burden-sharing can also be achieved under the Act by granting subordinated creditors a shareholding in the relevant institution and where this happens the debt owed to affected subordinated creditors can become instead an equity interest in the relevant institution. No subordinated liabilities orders have been made under the Act to date. It is important to note that a number of institutions have, however, undertaken liability management exercises where they have purchased their securities at a discount thereby generating a gain for the institution and an effective burden sharing with creditors and investors. Sub-debt holders have contributed, through this channel, almost €10 billion to the recapitalisation of the Irish banks.

Regarding burden sharing with senior bondholders, as I set out in my Statement to the House on Banking Matters last Thursday, it is vital that, after going through the reorganisation, the proposed three banks (Bank of Ireland, AIB/EBS, and IL&P) are able to operate in the market place as strong banks with a positive future and ongoing positive relationships with counterpart-

ies of all kinds. Therefore the Government has decided, informed by the reservations of the ECB, that these banks will not burden share with senior bondholders of their constituent banks, whether guaranteed or unguaranteed.

It is Government policy to work out Anglo Irish Bank and INBS in an orderly manner over time and to minimise further injections of taxpayer capital into either institution. Should additional capital be required, the Government will then consult with the external partners on the timeframe and means of recapitalising those institutions at minimum cost to the taxpayer, having regard to the financial stability impacts in Ireland and abroad.

Programme for Government

75. **Deputy Michael McGrath** asked the Minister for Finance his plans to establish a budgetary advisory council by the end of June 2011 in line with the agreement between Ireland and the EU-International Monetary Fund; and if he will make a statement on the matter. [6477/11]

Minister for Finance (Deputy Michael Noonan): The Government Programme includes a commitment to establish a Fiscal Advisory Council. Indeed, the issue of reform of Ireland's Budgetary framework, including the establishment of a Fiscal Advisory Council, is a priority for the Government. As mentioned by the Deputy, the EU/IMF Programme of Financial Support requires that such a body be in place by the end of the second quarter of 2011. It is the Government's intention that this deadline will be met.

In this regard, there would be merit in providing for a Fiscal Advisory Council in law as this would underline the Government's commitment to fiscal reform and to the independence of the body. At the same time, the establishment of such a council does not strictly need to be underpinned by law and could proceed in advance of legislation on fiscal reform.

The question of the legislative arrangements surrounding fiscal reform is a matter which has yet to be considered by the Government. The Deputy may wish to note that last Friday my Department published a discussion document on its website entitled *Reforming Ireland's Budgetary Framework* with a view to assisting debate and to setting out a range of potential policy options on this important issue. It is intended that in due course a seminar will be organised to allow for discussion and debate among all interested parties and experts with a view to arriving at the optimum set of proposals for fiscal reform which can then be taken forward for Government approval and subsequent implementation, within the timeframe already set out.

Social and Affordable Housing

76. **Deputy Paschal Donohoe** asked the Minister for Finance his plans to include a social dividend clause in the National Asset Management Agency legislation; and if he will make a statement on the matter. [6478/11]

Minister for Finance (Deputy Michael Noonan): One of the purposes set out in the National Asset Management Agency Act 2009 is "to contribute to the social and economic development of the State". Where it can be shown that, for example, providing units for social and affordable housing needs can create a commercial proposition for NAMA, then NAMA may play a role in the provision of social and affordable housing. I understand that officials of NAMA have had some contact with officials of the Department of Environment Heritage and Local Government, local authorities and other public bodies to explore the scope for such arrangements. It is not intended at this stage to amend the NAMA legislation.

Tax Code

77. **Deputy Paschal Donohoe** asked the Minister for Finance his plans to consider reviewing the VAT rates for casinos, private members clubs; and if he will make a statement on the matter. [6509/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the EU VAT Directive 2006 permits Member States to limit the scope of the VAT exemption for betting, lotteries and other forms of gambling. Under Irish VAT law, the exemption for gambling is confined to licensed betting, betting on the Tote and lotteries. Accordingly, all gambling and gaming activities carried on in casinos and private members clubs in the State are regarded for VAT purposes as taxable activities, and the persons carrying on such activities must register and account for VAT in respect of those activities where their annual turnover from the activities exceeds a threshold of €37,500. The rate of VAT applicable is the standard rate, which in Ireland is currently 21%.

The VAT rating of goods or services is subject to the requirements of EU VAT law with which Irish VAT law must comply. There are no provisions in the VAT Directive that permit the reduced rate (currently 13.5%) or the zero rate to be applied to gambling or gaming activities.

I have no plans to change the application of VAT to casinos and private members clubs.

Pension Provisions

78. **Deputy Terence Flanagan** asked the Minister for Finance if public servant pension contributions deductions are paid into a separate pensions fund which is ring-fenced; and if not, the position regarding same; and if he will make a statement on the matter. [6518/11]

Minister for Finance (Deputy Michael Noonan): Occupational pension contributions made by public service employees are not generally paid into a separate or ring-fenced fund. The vast majority of public service occupational pension schemes are financed on a pay-as-you-go basis, with the annual cost of pensions being met from current revenue. The contributions received from employees are usually recorded under the Appropriations-in-Aid heading of the appropriate Vote, rather than netted off against pension payments. There are a small number of public service bodies who have funded pension schemes, such as the Commission for Communications Regulation, and scheme member's pension contributions are paid into the fund in these cases.

Tax Code

79. **Deputy Dominic Hannigan** asked the Minister for Finance when mortgage interest relief will be suspended for first time buyers; and if he will make a statement on the matter. [6530/11]

Minister for Finance (Deputy Michael Noonan): There is a commitment in the Programme for Government to help homeowners in distress to weather the recession. The Government will examine a number of proposals in relation to this commitment. One of these proposals relates to increasing mortgage interest relief to 30% for First Time Buyers who bought between 2004 and 2008 and to finance this in part by abolishing mortgage interest relief for new buyers from June 2011.

When this proposal has been thoroughly examined and analyzed and the findings and recommendations are presented to me, I will decide on the appropriate action to be taken. However, it is unlikely that any measures will be introduced before budget 2012.

Departmental Schemes

80. **Deputy Brendan Griffin** asked the Minister for Finance if he will reverse the Government levy on bio-fuels; and if he will make a statement on the matter. [6574/11]

Minister for Finance (Deputy Michael Noonan): It is understood that the Deputy is referring to the Biofuels (Mineral Oil Tax) Relief scheme that ended on 31 December 2010. Consequently, with effect from 1 January 2011, biofuels are subject to full mineral oil tax rates; however, unlike conventional fuels, biofuels are exempt from the carbon charge. The promotion of biofuel is primarily a matter for my colleague, the Minister for Communications, Energy and Natural Resources.

The National Biofuel Obligation, which is operated by the National Oil Reserves Agency (NORA), is now the Government's means of supporting the use of biofuel in the future. The National Biofuel Obligation requires suppliers of road transport fuels to ensure that 4% of their volumes sold on the Irish market is biofuel; it will underpin delivery of the national biofuel target and will take full account of EU biofuels policy, including the sustainability criteria.

Experience in Ireland and elsewhere has shown that short term fiscal measures cannot provide sufficient certainty to producers, and that only an obligation type system can ensure that Ireland seizes the opportunity to take advantage of biofuel, and that the considerable opportunities for the indigenous production of biofuel are exploited.

Banks Recapitalisation

81. **Deputy Michael McGrath** asked the Minister for Finance in view of the results of the bank stress tests, if he will provide details of his plans for the future of a bank (details supplied). [6582/11]

Minister for Finance (Deputy Michael Noonan): As announced last week, the recent bid for EBS did not represent good value for the State as the shareholder and the sale of EBS has been discontinued. The intention, with the consent of the European Commission, is to merge the operations of AIB and EBS to build a second pillar bank using the strengths of both institutions.

Tax Yield

82. **Deputy Michael McGrath** asked the Minister for Finance the amount of income he expects to collect in 2011, 2012 and 2013 from the universal social charge. [6583/11]

92. **Deputy Michael McGrath** asked the Minister for Finance the amount of income he expects to collect in 2011, 2012 and 2013 from the universal social charge in excess of the amount that would otherwise have been collected from the combination of the income levy and health levy. [6593/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 82 and 92 together.

The Universal Social Charge (USC) is a tax which replaces the income and health levies. It is intended to broaden the tax base in an equitable manner and applies to approximately 500,000 more income earners than the income and health levies. USC receipts will be collected under the income tax sub-head. The Budget 2011 projections for receipts from the USC are set out in the following table.

[Deputy Michael Noonan.]

	2011	2012	2013
Universal Social Charge (€ billions)	3.3	4.1	4.3

In addition to the projected USC receipts detailed above, the Exchequer will benefit in 2011 from arrears collected in respect of the income levy and the health levy. As with all new income tax measures, the first year yield is expected to be significantly below the full-year yield, for a number of reasons including the fact that a portion of the tax collected in the year in which a measure is introduced relates to earnings in the previous year.

The estimate of the combined income and health levy receipts that was included in the National Recovery Plan 2011-2014 is set out in the table below:

	2011	2012	2013
Combined Income and Health Levy (€ billions)	3.6	3.7	3.9

Banks Recapitalisation

83. **Deputy Michael McGrath** asked the Minister for Finance in view of the results of the bank stress tests, if he will provide details of his plans for the future of a bank (details supplied). [6584/11]

Minister for Finance (Deputy Michael Noonan): As I stated in the Dáil last week, a new bank will be created from Bank of Ireland which will be smaller, more focused on core operations, better funded and better capitalised and more focused on serving the economy of the island of Ireland. The bank will split into separately managed non-core and core divisions and will begin to shed €30 billion of assets by 2013. It will become a significantly more domestically focused bank and retain its businesses in Northern Ireland, its Post Office joint venture in the United Kingdom and limited capital markets businesses.

The bank will be given time to raise additional private capital and limit the State's need to invest in the banks but the Government will step in to ensure that the bank meets the Central Bank capital requirements if it needs to.

The situation will become clearer after the release of the bank's Annual Results expected shortly.

84. **Deputy Michael McGrath** asked the Minister for Finance in view of the results of the bank stress tests, if he will provide details of his plans for the future of a bank (details supplied). [6585/11]

Minister for Finance (Deputy Michael Noonan): I stated in my statement of 31 March 2011, to the Dáil on banking matters, that the banking system must be the enabler of economic recovery by restoring public and market confidence in its financial health, management competence and ethical integrity. Consequent upon the results of the banks stress testing and to achieve the above objective, the Government has decided to reduce the number of domestic banks by creating two new strong universal Pillar banks which will be fully recapitalised with a view to instilling confidence in these institutions both domestically and internationally.

The Government intends to combine the operations of AIB and EBS Building Society to build one of the two Pillar banks from the strengths of both institutions subject as necessary to any approval required under State Aid rules. This Pillar bank will then reorganise its operations into core and non-core functions to better serve the economy as a functioning bank by providing services and credit it needs. It will be a largely domestically focused bank, retaining its Northern Ireland operations and certain deposit funded operations in the UK. The non-core division of the combined entity will see deleveraging of €23 billion of assets by 2013. The publication of the bank's annual results expected shortly will further clarify the situation.

85. **Deputy Michael McGrath** asked the Minister for Finance in view of the results of the bank stress tests, if he will provide details of his plans for the future of a bank (details supplied). [6586/11]

Minister for Finance (Deputy Michael Noonan): I stated in my announcement of 31 March 2011, to the Dáil on banking matters, that the banking system must be the enabler of economic recovery by restoring public and market confidence in its financial health, management competence and ethical integrity. The Government has decided to reduce the number of domestic banks by creating two new strong universal Pillar banks which will be fully recapitalised with a view to instilling confidence in these institutions both domestically and internationally.

Consequent upon the results of the stress testing on Irish Life and Permanent (ILP) and the determination of its capital requirements by the Central Bank, ILP must raise a substantial additional equity capital which will require a significant restructuring of their business and the disposal of certain non-banking assets. The sale of these assets should raise significant capital for the Group. It is the intention of the State, subject as necessary to any approval required under State Aid rules, to provide the remaining capital to the Group which will involve, in all likelihood a majority stake in the Group being held by the State. This approach will provide sufficient flexibility to the State to decide where the Group fits into the planned revised banking landscape outlined above as the radical restructuring of the Group evolves.

Question No. 86 answered with Question No. 74.

Bank Guarantee Scheme

87. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the amount of fees received to date, and expected to be received in total, by the Exchequer arising from the guarantee under the credit institutions (financial support) scheme 2008 and the eligible liabilities guarantee scheme 2009. [6588/11]

Minister for Finance (Deputy Michael Noonan): The sum of €760,467,567.60 was paid into the Exchequer on 28 October 2010 in respect of all fees and interest accumulated under Credit Institutions (Financial Support) Scheme which terminated on 29 September 2010. The Eligible Liabilities Guarantee Scheme 2009 (ELG) came into effect on 9th December 2010. The sum of €572,878,664.46 was also paid into the Exchequer on 28 October 2010 in respect of fees and interest accumulated under ELG. This means that a total of €1,333,346,232.06 has been paid into the Exchequer in respect of both Schemes since 30th September 2008.

A further sum of €282,269,427 has been received in fees under ELG from the participating institutions since 28 October 2010. The amounts expected to be received in respect of guarantee income from the Eligible Liabilities Guarantee are: 2011 — €800 million, 2012 — €300 million, 2013 — €150 million, and 2014 — €150 million.

[Deputy Michael Noonan.]

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-à-vis EU State aid approval. Therefore, forecasts for the period after June 2011 are only in respect of fees for long-term debt issued under the ELG Scheme before end-June, which are paid for the lifetime of the debt up to five years. 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.

National Treasury Management Agency

88. **Deputy Michael McGrath** asked the Minister for Finance if he will confirm the overall amount of money currently managed by the National Treasury Management Agency through the various State savings products; if he will provide a breakdown of the overall amount by the type of product, savings bonds, savings certificates, national solidarity bond and so on; the way the money is managed; and if he will make a statement on the matter. [6589/11]

Minister for Finance (Deputy Michael Noonan): State Savings is the brand name used by the National Treasury Management Agency (NTMA) for the range of savings products offered by the NTMA to personal savers. I understand from the NTMA that, at end-March 2011, the amount being saved in State Savings products was €13.4 billion. This is held in the various savings products as set out in the table.

	€ million
Prize Bonds	1,392
3-year Savings Bond	4,548
4-year National Solidarity Bond	37
5½-year Savings Certificate	4,114
10-year National Solidarity Bond	402
Instalment Savings	474
Deposit Accounts	2,455
Total	13,422

In relation to the Deputy's query about the management of the money in State Savings, the proceeds are used to fund the Exchequer and form part of the National Debt.

Banks Recapitalisation

89. **Deputy Michael McGrath** asked the Minister for Finance the position regarding equal standing, in Irish and EU law, between senior debt and deposits in Irish financial institutions. [6590/11]

Minister for Finance (Deputy Michael Noonan): The legal position is that in the absence of a subordination agreement, where a financial institution is being wound up the principle that applies is *pari passu*, meaning all unsecured creditors have equal ranking to be repaid by the financial institution. So, where there is a shortfall in assets all unsecured creditors are entitled to an equal dividend. The principle of creditor equality is also enshrined in the Credit Institutions Winding Up Directive 2001/17/EC.

In the context of a company that is continuing in business as a going concern the principle of *pari passu* does not apply although the effect is similar. Where a company has debts, they

are liable to pay those debts and each debtor has an equal right to be repaid whether that person's debt arises on foot of a bond or a deposit. In either case the terms of the repayment will obviously be determined by the instrument creating or evidencing the debt — repayable on demand or at a certain future time. I would add that the principle of equal entitlement to be repaid their debts as amongst unsecured creditors is subject to the absence of one of them being obliged by contract to be postponed in favour of another.

It must also be remembered that depositors who suffer a loss in the event of a financial institution being wound up insolvent are entitled to compensation under the Deposit Guarantee Scheme and/or the Eligible Liabilities Guarantee Scheme. The Deposit Guarantee Scheme covers all retail deposits with all credit institutions authorised in Ireland (including credit unions) up to a maximum of 100,000 euro per qualifying depositor per institution. Deposits in excess of 100,000 euro that meet the terms and condition of the Eligible Liabilities Guarantee are also guaranteed.

State Savings Products

90. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the amount of money invested to date in the national solidarity bond, both the four-year and ten-year bond; the number of persons that made investments; and if he will make a statement on the matter. [6591/11]

Minister for Finance (Deputy Michael Noonan): The 10-year National Solidarity Bond was launched 11 months ago on 1 May 2010 and the 4-year Bond was launched 2 months ago on 1 February 2011. The Solidarity Bonds are part of the range of State Savings products offered by the National Treasury Management Agency (NTMA) to personal savers. I understand from the NTMA that the uptake on both bonds has been strong and that the total amount being saved in the two products as of 1 April was €439 million, as set out in the table.

	Amount invested	Number of customers	Average holding
	€m		(€000)
10-year National Solidarity Bond	402	18,553	22
4-year National Solidarity Bond	37	1,488	25
Total	439	20,041	

Tax Code

91. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the application of the carbon tax to coal and commercial peat. [6592/11]

Minister for Finance (Deputy Michael Noonan): The section in the Finance Act 2010 that provides for application of the carbon tax to solid fuels (coal and commercial peat) is subject to a Ministerial Commencement Order. This approach was primarily adopted in order to allow time for a robust mechanism to be put in place to improve the control of high sulphur coal being sourced from Northern Ireland suppliers. The Department of Environment in conjunction with the National Standards Authority of Ireland (NSAI) have proposed new regulations for coal which would effectively extend the existing voluntary agreement for low sulphur coal to the entire State on a compulsory regulatory basis.

A stakeholder committee was established last year to provide an input into the proposed regulations. Under EU law dealing with technical barriers to trade, Ireland is required to notify

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the European Commission of all draft technical regulations concerning products before they are adopted in national law. Formal notification of the proposed new standard for coal issued from NSAI to the EU Commission in November 2010. It is understood that the Commission's response is expected in the near-term.

Question No. 92 answered with Question No. 82.

Proposed Legislation

93. **Deputy Jerry Buttimer** asked the Minister for Finance when the enabling legislation to enable the social welfare and taxation aspects of the Civil Partnership Bill will be brought before the Houses of the Oireachtas. [6640/11]

Minister for Finance (Deputy Michael Noonan): The position is that legislation to provide the same tax treatment for civil partners as that provided for spouses is currently in preparation. It is intended that the legislation will have effect for the tax year 2011 and subsequent years. As the Deputy is aware the shortened timescale for this year's Finance Act meant that it was not possible to include the legislation in that Act but it is intended that the legislation will be put before the House shortly as part of Finance (No. 2) Bill 2011. The treatment of civil partners for the purposes of social welfare is primarily a matter for the Minister for Social Protection. However, I am informed that the social welfare legislative provisions for the introduction of civil partnership are contained in the Social Welfare and Pension Act 2010 which came into effect on 1 January 2011.

Departmental Staff

94. **Deputy Terence Flanagan** asked the Minister for Finance the position regarding clerical officers (details supplied); and if he will make a statement on the matter. [6684/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Public Appointments Service (PAS) that the most recent competition to fill Temporary Clerical positions in the civil service was advertised by the PAS in February 2011. The competition was announced on 24th February 2011 and closed on 2nd March 2011. In excess of 13,500 applications were received. A selection process to put in place panels to fill temporary clerical positions is currently under way. Applicants for that campaign were required to fulfil the following requirements (as set out in the Information Booklet for Candidates published at that time) when applying for the position. Candidates must:

(a) have the requisite knowledge and the ability and be suitable to enter on the discharge of the duties of the position. This includes the ability to:

- take direction / follow instructions
- organise and prioritise their work effectively;
- be able to work well with the public and colleagues;
- be flexible in their approach to work;

and

(b) be able to communicate effectively in a clear and concise manner

and

(c) fulfil the requirements set out as to age, citizenship, health & character.

It is desirable that applicants would have previous relevant work experience and good IT skills.

Age

Applicants must, on or before 2 March 2011, be at least 16 years of age (i.e. born on or before 2 March 1995).

Citizenship Requirement

Eligibility to compete is open to suitably qualified candidates from the European Economic Area (EEA). The EEA consists of the member states of the European Union along with Iceland, Liechtenstein and Norway. Citizens of non- EEA States are not eligible to compete. Special conditions may apply to citizens of Bulgaria and Romania following their entry to the European Union and their eligibility to be employed and work in Ireland

Health & Character

Those under consideration for a position will be required to complete a health and character declaration. Candidates should be of good character and a reference may be required. Some posts will require special security clearance and will require completion of a form for Garda vetting purposes.

Proposed Legislation

95. **Deputy Michael Healy-Rae** asked the Minister for Finance if he will support the speedy passage of the Construction Contracts Bill 2010; and if he will make a statement on the matter. [6692/11]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that the Construction Contracts Bill which was introduced by Senator Feargal Quinn passed Committee and remaining stages in the Seanad on 8 March. I understand that the Seanad debate highlighted a number of matters relating to the Bill that require further consideration. It would also be imperative that the full regulatory impact of such a piece of legislation be fully assessed. I will now be examining the Bill and will then decide how best to proceed. It is important that a solution to the problem of non-payment must not place an unnecessary regulatory or cost burden on the parties to the dispute, other parties involved in the project, or the State.

Public Sector Pay

96. **Deputy Michael McGrath** asked the Minister for Finance his plans to review the recent reduction in pay for school secretaries. [6709/11]

Minister for Finance (Deputy Michael Noonan): The Financial Emergency Measures in the Public Interest (No. 2) Act 2009 provides for the reduction in the pay rates of all persons employed by public service bodies with effect from 1 January 2010. Such reductions apply irrespective of whether a particular post is funded in whole or in part through non-Exchequer funds or income. The school secretaries (and other non-teaching staff) referred to in the question are, whether employed in recognised public or private schools, deemed to be public servants within the meaning of and for the purposes of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009. This position has been confirmed by legal advice.

[Deputy Michael Noonan.]

The former Minister for Finance approved a temporary exemption under Section 6 of the Financial Emergency Measures in the Public Interest (No. 2) Act for certain categories of workers in the education sector (including certain school secretaries) until 31 December 2010. Accordingly, the Financial Emergency Measures in the Public Interest (No. 2) Act has been applied to those specific categories of workers in the education sector since 1 January 2011 only.

It is important to understand that while there is a variety of staff across the education sector who are employed by public service bodies but who are either wholly or partly funded from non-Exchequer sources, there are also staff undertaking the same or very similar duties whose posts are fully Exchequer funded. All of these staff have now been subject to the terms of the Financial Emergency Measures in the Public Interest (No. 2) Act.

Financial Services Regulation

97. **Deputy Jim Daly** asked the Minister for Finance the reason a bank (details supplied) is the only bank that refuses to fix the lending rate of a partially drawn down mortgage until the full amount sanctioned is drawn down by the borrower; and if he will make a statement on the matter. [6711/11]

Minister for Finance (Deputy Michael Noonan): I have been informed by the Central Bank that issues such as the process in place in respect of the setting of interest rates are usually covered in the terms and conditions applying to a particular mortgage. The Consumer Protection Code, issued by the Central Bank, requires that a regulated entity must provide each consumer with the terms and conditions attaching to a product or service, before the consumer enters into a contract for that product or service, or before the cooling-off period (if any) expires. A regulated entity must also ensure that all information provided to consumers is clear and comprehensible and that key items are brought to the attention of the consumer. The method of presentation must not disguise, diminish or obscure important information. In this regard, the bank referred to by the Deputy may impose the conditions in relation to the lending rate as long as it complies with the requirements of the Consumer Protection Code and all other applicable legislation.

98. **Deputy Jim Daly** asked the Minister for Finance the reason the major banks here, largely owned by the State, no longer accept the *de minimus* undertaking from solicitors for borrowings less than €75,000, thus creating an extra expense to the borrower of approximately €1,000; and if he will make a statement on the matter. [6714/11]

Minister for Finance (Deputy Michael Noonan): The Solicitors (Professional Practice, Conduct and Discipline (Commercial Property Transactions) Regulations 2010 prohibits the provision of certain undertakings by solicitors in relation to commercial property transactions but this prohibition does not apply where the liability is less than €75,000. These regulations followed much publicised difficulties in relation to undertakings provided by certain solicitors in relation to property transactions.

The security required in commercial property transactions and the banks' acceptance or not of these undertakings is a matter for the legal and other divisions of the individual banks and I am aware that some banks do not accept them even where the amount is less than €75,000. However, the Government operates at arm's length from the banks and does not become involved in these types of operational matters.

99. **Deputy Noel Harrington** asked the Minister for Finance if his attention has been drawn to the termination of the deposit agency agreement by the Irish Nationwide Building Society

with its deposit agents following the transfer of its deposit book to Irish Life and Permanent PLC; if he will confirm that all fees and commissions due to these agents will be paid in full; if he will further confirm that all agents will be paid fees and commission during this transitional period; the recompense that will be made for the termination of these agreements as per the industry norm for building society agents to these agents of the Irish Nationwide Building Society; and if he will make a statement on the matter. [6767/11]

Minister for Finance (Deputy Michael Noonan): While the Minister is the holder of special investment shares in Irish Nationwide Building Society, the Society remains an independent entity and the Minister's intervention in the conduct of the Society's business is limited to that necessary to protect the public interest. Therefore, subject to that overall framework, the Society's board and management retains responsibility for the overall commercial policy and the day to day operations of the Society, including its relationship with its agents. The Society has informed me that following the transfer of its deposits to Irish Life and Permanent plc pursuant to High Court Order, the Society has now ended all its agency relationships. The Society has also confirmed that all commission payments due to agents will be calculated and these will be paid during April 2011.

Offshore Islands

100. **Deputy Noel Harrington** asked the Minister for Finance if the opening months and times are being altered or restricted in respect of Inacullin — Garnish Island; if the effect this will have on tourists visiting the area for the Easter break over the next five years has been examined; and if he will make a statement on the matter. [6771/11]

Minister of State at the Department of Finance (Deputy Brian Hayes): I wish to confirm that the Island opened to visitors on the 1st of April, and will remain open until the end of September. This period covers the same period of opening as previous years. It is the intention of OPW to continue to operate these opening and closing dates over the next number of years subject to resources being made available.

Personal Debt

101. **Deputy Terence Flanagan** asked the Minister for Finance his plans to deal with the growing mortgage arrears and personal debt crises across the country; and if he will make a statement on the matter. [6858/11]

103. **Deputy Terence Flanagan** asked the Minister for Finance his views on the previous Government's policy of simply deferring the mortgage debt crisis by forcing the banks to defer any legal or repossession action; if he has a solution to replace this strategy; and if he will make a statement on the matter. [6860/11]

104. **Deputy Terence Flanagan** asked the Minister for Finance his views on mortgage arrears levels which are expected to dramatically increase during 2011; his plans to replace the courts repossession system; and if he will make a statement on the matter. [6861/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 101, 103 and 104 together.

As agreed in the Programme for National Recovery 2011 to 2016, the Government will examine a number of proposals aimed at helping mortgage-holders in difficulty. These will include:

[Deputy Michael Noonan.]

- Increasing mortgage interest relief to 30% for First Time Buyers in 2004-2008 (from the current sliding scale of 20% to 25% depending on the year the mortgage was taken out).
- Directing any mortgage provider in receipt of State support to present Government with a plan of how it intends to cut its costs, over and above existing plans, in a fair manner by a sufficient amount to forego a 25 basis point increase on its variable rate mortgage.
- Introducing a two year moratorium on repossessions of modest family homes where a family makes an honest effort to pay their mortgage.
- Fast-tracking personal bankruptcy reform needed to bring Ireland into line with best international standards, such as introducing a flexible discharge period for “honest bankrupts”, defined as one that has materially complied with the Tax, NAMA and Companies Acts among others.
- Converting the Money Advice and Budgeting Service into a strengthened Personal Debt Management Agency with strong legal powers. The agency will support families who make an honest effort to deal with their debts, including non-mortgage debt, providing protection from their creditors where appropriate, so that they have time to sort out their affairs. In order to do so, the Personal Debt Management Agency will have quasi-judicial status.
- Making greater use of Mortgage Interest Supplement to support families who cannot meet their mortgage payments, which is a better and cheaper option than paying rent supplement after a family loses their home.

The Deputy will be aware that the Expert Group on Mortgage Arrears and Personal Debt produced two Reports, an Interim Report published in July 2010 and a Final Report published in November 2010. All of the Expert Group’s recommendations are listed in Chapter 2 of the Final Report. They can be accessed at www.finance.gov.ie .

Since the publication of the Reports, the Code of Conduct for Mortgage Arrears (CCMA) has been revised by the Central Bank to reflect many of the recommendations of the Expert Group including key recommendations relating to the introduction by all regulated lenders of a standardised Mortgage Arrears Resolution Process (MARP). The most significant changes in the revised CCMA include:

- Borrowers in arrears who co-operate with the Mortgage Arrears Resolution Process (MARP) are not charged penalty interest charges;
- Harassment of borrowers through unsolicited communications is outlawed; and
- Borrowers in financial difficulties, but not in arrears, are allowed to come under the MARP.

The revised CCMA was published on 6 December 2010 and came into effect on 1 January 2011. The revised CCMA can be accessed at www.centralbank.ie . Lenders are required to comply with the CCMA as a matter of law but have been given a period of six months grace, ending on 30 June 2011, to put in place the requisite systems and training of staff necessary to support the implementation of the MARP. In addition, the Central Bank has also written to lenders to issue directions under Section 149 of the Consumer Credit Act 1995 which will mean

that lenders cannot impose arrears charges or penalty interest on borrowers who are co-operating with the MARP.

The Deputy will also be aware of the existing importance of the Mortgage Interest Supplement (MIS) Scheme and the Money Advice and Budgeting Service (MABS) in assisting consumers who have fallen into arrears or who are experiencing difficulties servicing their mortgage repayments. The MIS Scheme currently supports approximately 18,000 mortgage-holders while MABS provides a national, free, confidential and independent service operating from 53 offices nationwide.

Regarding the question on replacing the courts repossession system, I am unclear as to whether the Deputy is suggesting that neither lenders nor borrowers should have ultimate recourse to the courts in the event of other avenues being exhausted. Insofar as the regulation of lender policies in this area is concerned, the Deputy may wish to note certain provisions contained in the CCMA. For example, Provision 46 of the CCMA states the following:

“The lender must not apply to the courts to commence legal action for repossession of the borrower’s primary residence, until every reasonable effort has been made to agree an alternative arrangement with the borrower or his/her nominated representative.”

Provision 50 of the CCMA states the following:

“In cases where legal action to obtain an Order for Possession has commenced, a lender must endeavour to maintain contact with the borrower or his/her nominated representative. If an alternative repayment arrangement is agreed between the parties before an Order for Possession is granted, the lender must put the legal proceedings on hold, for the period during which the borrower adheres to the terms of the alternative repayment arrangement.” Thus, the CCMA effectively prohibits lenders from pursuing and continuing with court based repossessions of a borrower’s primary residence, without having first sought to agree alternative arrangements.

The Central Bank’s quarterly data series on Residential Mortgage Arrears and Repossessions show that the level of repossession activity in the courts, with respect to the primary residence of borrowers, can be considered very low in comparison with the scale of mortgage arrears pertaining. For example, the level of home repossessions per hundred thousand mortgages in the UK is over 5 times greater than the Irish rate. Furthermore, it can be observed that the majority of repossessions taking place are not by way of a court order, rather via voluntary surrenders and abandonments.

Banks Recapitalisation

102. **Deputy Terence Flanagan** asked the Minister for Finance his views on the bailout made to a bank (details supplied); his further views on the personal debt situation in this country and the fact that this bank is the first Irish bank to require a bailout due to personal rather than developer debt; and if he will make a statement on the matter. [6859/11]

Minister for Finance (Deputy Michael Noonan): I stated in my announcement of 31 March 2011, to the Dáil on banking matters, that the banking system must be the enabler of economic recovery by restoring public and market confidence in its financial health, management competence and ethical integrity. The Prudential Capital Assessment Review (PCAR) and Prudential Liquidity Assessment Review (PLAR) examinations undertaken by the Central Bank, which are a component part of the EU-IMF Programme, are designed to restore market confidence to Ireland and, in particular, to the State’s finances and our banks. As a result, the

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present exercise is on an exceptionally intensive and elaborate basis and is designed to respond to market scepticism about our banks.

Under the PCAR stress testing, additional capital is required in respect of loan assets arising from personal debt across all four of the examined banks. The Government will ensure that all of the tested banks are recapitalised in respect of these additional requirements.

The results of the PCAR and PLAR on Irish Life and Permanent concluded that the Group required further capital of €4 billion. This will entail a significant restructuring of their business and the disposal of certain non-banking assets. The sale of these assets should raise significant capital for the Group. It is the intention of the State, subject as necessary to any approval required under State Aid rules, to provide the remaining capital to the Group which will involve, in all likelihood a majority stake in the Group being held by the State. This approach will provide sufficient flexibility to the State to decide where the Group fits into the planned revised banking landscape, outlined by me to the Dáil on 31 March 2011 in my Statement on Banking Matters, as the radical restructuring of the Group evolves.

Questions Nos. 103 and 104 answered with Question No. 101.

Departmental

105. **Deputy Denis Naughten** asked the Minister for Finance the whole time equivalent staffing level within the Civil Service staffing at each grade from assistant secretary to clerical officer in January 1998, 2008, 2011; and if he will make a statement on the matter. [6869/11]

Minister for Finance (Deputy Michael Noonan): The whole time equivalent staffing level within the civil service at each grade from Assistant Secretary to Clerical officer in January 1998, 2008, 2011 is set out in the table.

Main General Service Grades	January 1998	January 2008	January 2011
Assistant Secretary	94.00	146.60	134.00
PO Total	351.00	749.75	645.90
AP Total	1,036.50	2,050.36	1,888.35
HEO Total	2,032.50	3,284.45	3,209.81
AO Total	106.50	236.20	251.90
EO Total	2,592.50	5,012.33	4,903.38
SO Total	1,287.50	1,500.95	1,502.84
CO Total	9,396.00	10,933.89	10,382.81
TOTAL	16,896.50	23,914.53	22,918.99

Note: The above data does not include the National Gallery and CPSA for technical reasons.

106. **Deputy Denis Naughten** asked the Minister for Finance the number of non-technical Civil Service promotion panels which were closed in the past 24 months and where a further competition was held or is planned; the details in each case and the cost of the new competition; and if he will make a statement on the matter. [6870/11]

Minister for Finance (Deputy Michael Noonan): I assume that where the Deputy refers to non-technical civil service promotion panels he is seeking information on general service interdepartmental promotion panels in the civil service. Such competitions are run by the Public Appointments Service. During the past 24 months panels from the following competitions were closed:

Circular 11/2007: Confined competition for appointment to posts at Principal Officer (Standard Scale) in the Civil Service

Circular 28/2007: Confined competition for appointment to posts at Assistant Principal (Standard Scale) in the Civil Service

Circular 14/2007: Confined competition for promotion to Higher Executive Officer in the Civil Service

Circular 26/2006: Confined competition for promotion to Executive Officer in the Civil Service

Circular 25/2006: Confined competition for promotion to Staff Officer in the Civil Service

Circular 6/2008: Confined competition for appointment as Clerical Officer in the Civil Service No further competitions have been held nor is it planned to hold any in the immediate future.

107. **Deputy Eoghan Murphy** asked the Minister for Finance, in the interest of protecting the integrity and objectivity of the Civil Service, if he will adopt similar measures to those in the civil service in the UK, whereby a senior civil servant may formally, and on public record, request written ministerial direction when he or she disagrees with a Minister's decision so strongly they refuse to be accountable for same. [6888/11]

Minister for Finance (Deputy Michael Noonan): Within the central government area, the Accounting Officer is normally the Secretary General or civil service head of a Department or Office to whom the Minister for Finance has assigned responsibility for preparing the annual Appropriation Account for each vote under his/her charge. The Accounting Officer has responsibilities, amongst other things, for regularity and propriety of the accounts and for economy and efficiency in the use of resources and for the management systems used to evaluate effectiveness.

The special nature of the Accounting Officer's responsibilities requires that there are specific procedures to be followed where there is a difference of opinion between the Accounting Officer and the Minister on an issue where the Accounting Officer has a responsibility, and the Accounting Officer considers that the Minister's opinion is not a reasonable one. In such circumstances, the guidelines for public financial procedures provide that the Accounting Officer should inform his/her Minister in writing of his or her view, the reasons for it and suggest a consultation with the Department of Finance. If, notwithstanding this the Minister gives contrary directions in writing, the Accounting Officer should comply with them, after informing the Department of Finance. The papers should be sent to the Comptroller and Auditor General when the directions have been carried out. These procedures are similar to those in operation in the UK in circumstances where a conflict arises between the duties of an accounting officer and a Minister's instructions.

Departmental Expenditure

108. **Deputy Jim Daly** asked the Minister for Education and Skills if the best value for money is being achieved for the taxpayer by the Royal Irish Academy, which receives multi-million euro funding from the Oireachtas, awarding contracts to foreign based companies (details supplied), thus leaving a large number of Irish workers with no choice but to claim unemployment benefit; and if he will make a statement on the matter. [6713/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Royal Irish Academy is an All-Ireland, independent academic body that promotes study in the sciences, humanities and social sciences. Its mission is inter alia to promote excellence in scholarship, organise lectures, conferences, academic exchanges and visiting fellowships, manage national research and publication projects and publish academic journals etc. The Academy is funded through the Higher Education Authority. Core grant funding amounting to €3.5 million was provided to the Academy in 2010.

The internal disbursement of such funding is a matter for the Academy and my Department has no role in its day to day operational affairs. However, I understand that the issue referred to by the Deputy relates to the award of a contract in respect of typesetting for the publication of the Academy's journals, the value of which is in the region of €3,500. Whilst the vast majority of the Academy's typesetting is done within the Academy, journal typesetting requires specific skills.

The Academy is bound by best practice in public procurement under the Code of Practice for the Governance of State Bodies to choose the most economically advantageous tender following an invitation to tender. As the work in question was less than €5,000, the Academy in line with best procurement practice sought five quotes for the work in question. In this case, the contract was awarded to an Irish company based in Dublin who the Academy understands outsourced a portion of its work outside of Ireland.

Schools Refurbishment

109. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding applications for summer works scheme in respect of schools (details supplied) in County Kerry. [6352/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the schools referred to by the Deputy submitted applications to my Department for funding under the 2011 Summer Works Scheme. Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. As outlined in the Circular governing the operation of the scheme, applications for works in the higher categories were prioritised.

The applications from the first three schools referred to by the Deputy were successful and were included in the list of 453 successful schools that was announced on 30 March 2011. Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to include the second two schools referred to by the Deputy in this list. Letters confirming the outcome of their applications will be received by the school authorities in question shortly. For the Deputy's convenience a table summarising the outcome of these applications follows.

Successful Applications

Anablaha National School, Kilcummin, Killarney, Co. Kerry — role number 11363A — Mechanical

Holy Cross Mercy Primary School, New Road, Killarney, Co. Kerry — upgrade — role number 19487M — Electrical

Muire Na Mainistreach, New Road, Killarney, Co. Kerry — upgrade — role number 18049G — Electrical

Unsuccessful Applications

Scoil Reailt Na Meara, Cromane, Killorglin. Role number 12820H — Replacement Windows

Lisivigeen National School, Lisivigeen, Killarney, Co. Kerry — Role number 08791E —
Roof works

School Staffing

110. **Deputy Michael Creed** asked the Minister for Education and Skills the reason he is considering denying some teachers who have accumulated their classroom experience from an entitlement to a permanent teaching post due to the fact that some of this accumulated classroom experience was covering for teachers on maternity leave; and if he will make a statement on the matter. [6373/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The main focus in the Teacher Allocation Section within my Department at present is the redeployment panels for permanent teachers.

When this process is completed my Department will then be working on supplementary panels for fixed-term teachers. The supplementary panels will recognize as appropriate, substitute service in respect of maternity leave. Such teachers are advised to contact my Department at *Primaryallocations@education.gov.ie*.

School Transport

111. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will review the decision made in the education budget changes for 2011 and in particular to school bus services where the pick up density of pupils in a distinct locality on a particular route will have to increase from seven to ten to retain a service; if he will review the circumstances of a family (details supplied) in County Donegal who may be without a school bus service because of the changes; and if he will make a statement on the matter. [6378/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the recently published Value for Money Review of the scheme.

These changes include the requirement that a minimum of 10 eligible pupils, residing in a distinct locality, will be required to retain or establish a school transport service from 2011/12 school year. As is currently the position, families of eligible pupils, for whom there is no suitable school transport service available, may apply for the remote area grant towards the cost of making private transport arrangements.

Decisions in relation to the retention or establishment of school transport services will be made when all applications for school transport, for the 2011/12 school year, have been received and assessed.

Higher Education Grants

112. **Deputy Ciarán Lynch** asked the Minister for Education and Skills if he will review the circumstances of a grant application by a person (details supplied) in County Cork in view of the large reduction in net household income; and if he will make a statement on the matter. [6384/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department understands that the candidate in question applied to his grant awarding authority for a student grant and that the income in his case exceeded the reckonable income limits for the award of a grant. Where a grant application is refused, the reason for the refusal is given by the grant awarding authority.

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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 clearly outlining the grounds for the appeal. No appeal has been received by either the grant warding authority or by my Department to date. The Deputy will appreciate that as my Department has a role to play in the appeals process it would not be appropriate to comment further on this matter other than to say that my Department will carry out a review of the candidate's application if it receives an appeal from him as part of the appeals process.

Value for Money Reviews

113. **Deputy Tom Fleming** asked the Minister for Education and Skills following a decision in May 2007 of retention of a school (details supplied) if he will honour this commitment in current review. [6386/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A review was initiated in October 2010 by the then Fianna Fáil/Green Party government in order to establish the value for money being achieved from state funding of small primary schools. This value for money review is part of the normal review processes undertaken by Departments on an annual basis on selected areas of expenditure. All primary schools with a total enrolment of less than 50 pupils come within the terms of reference of this review.

I do not have a pre-determined view on the outcome of the review. The review should be completed by the end of this year and I plan to consider the review's conclusions when it is finalised. In the meantime the existing rules and current sustainability limits will continue to apply to small schools.

Special Educational Needs

114. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will meet with an organisation (details supplied) in relation to their proposal on the education of children with autism; and if he will make a statement on the matter. [6389/11]

165. **Deputy Olivia Mitchell** asked the Minister for Education and Skills if he will respond positively, even if only in principle at this stage, to the proposal (details supplied) for an academy for children with autism run on the ABA system; and if he will make a statement on the matter. [6817/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 114 and 165 together.

I wish to advise the Deputies that a proposal for an academy for children with autism has been received by officials in my Department who will revert to the organisation in question shortly. However it is important to emphasise that the proposal will be considered in the context of my Department's policy in this regard.

My Department's policy is focused on ensuring that all children 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. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. As

each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met.

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.

Reflective of the important role of continuing professional development 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 Deputies will be familiar with the ABA pilot scheme which was funded by my Department for the past decade. All of the centres which participated in this scheme have been granted recognition as special schools for children with autism. These schools will operate in line with my Department's policy. I am pleased to update the Deputies that following their recognition the new schools are currently progressing well in the transitional phase. Eight schools have opened and the remaining five are scheduled to open shortly. It is my intention to continue to support this transitional process.

The pilot scheme was established in the absence of a network of school-based special classes for children with autism which is now available. The Deputies will be aware that the establishment of this 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 430 classes have now been approved around the country at primary and post primary level, including many in special schools.

I am aware that my officials have met previously with some members of the group who have submitted the proposal for the establishment of an academy for children with autism. The need for a meeting with my officials will be considered as part of the examination of the proposal.

Question No. 115 withdrawn.

Schools Recognition

116. **Deputy Brendan Smith** asked the Minister for Education and Skills the number of Gaelscoileanna fully recognised in the school years 1996-97 together with the number of pupils enrolled in the schools and the most recent comparable figures. [6398/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In the 1996/1997 school year there were 106 Gaelscoileanna at primary level with a total enrolment of 17,447 pupils on 30 September 1996. In the 2009/2010 school year there were 147 Gaelscoileanna at primary level with a total enrolment of 29,024 pupils on 30 September 2009. Note that these figures refer to all-Irish primary schools and pupils located outside the Gaeltacht areas.

School Holidays

117. **Deputy Joe McHugh** asked the Minister for Education and Skills when school holidays for the 2011 Halloween mid-term will take place; and if he will make a statement on the matter. [6415/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The scheduling of school holiday periods during the academic year is agreed between the education partners under the auspices of the Teachers Conciliation Council. The Teachers Conciliation Council is the recognised forum for dealing with matters relating to pay and conditions of service of teachers. The parties to the forum include representatives of the managerial authorities of schools, the teacher unions and the Departments of Education & Skills and Finance.

The current agreement covers the school years 2008/9 to 2010/11. Discussions in regard to the arrangements for the school years 2011/12 to 2013/14 are ongoing and it is intended that arrangements for these years will be finalised in the near future. When the arrangements for the forthcoming years have been finalised, schools will be notified by means of a Circular letter. The arrangements will also be available on my Department's website.

Higher Education Grants

118. **Deputy Ciarán Lynch** asked the Minister for Education and Skills if he will review the grant application in respect of a person (details supplied) in County Cork in view of the sharp drop in gross and net income; and if he will make a statement on the matter. [6464/11]

Minister for Education and Skills (Deputy Ruairí Quinn): On 2/02/2011 an appeal was received by my Department from the candidate in question to review the decision of her grant awarding authority not to award a student grant. The grant awarding authority had taken this decision because the reckonable income limits for student grant eligibility were exceeded. The appeal was examined in detail by my Department and a decision issued to the candidate on 15/03/2011. On the basis of the income details supplied by the candidate, the reckonable income limits are exceeded and the original decision of the awarding authority not to award a grant was upheld on this basis.

Schools Building Projects

119. **Deputy Michael McCarthy** asked the Minister for Education and Skills the position regarding the proposed extension to a school (details supplied) in County Cork; when he expects work to commence on the project; and if he will make a statement on the matter. [6491/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The tender process for the appointment of a Design Team on the school building project referred to by the Deputy is in progress. The first stage of the process to pre-qualify suitable consultants is complete. The next stage of the process, which will commence shortly, will be to issue the invitations to the pre-qualified consultants to tender for the selection and appointment of the design team.

Schools Refurbishment

120. **Deputy Pearse Doherty** asked the Minister for Education and Skills the status of the summer works scheme for 2011; when schools will be notified; and if he will make a statement on the matter. [6497/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to inform the Deputy that I recently announced that 453 primary and post primary schools across the country will receive funding under the 2011 Summer Works Scheme. Approval letters have been issued to all successful schools and details are also available on my Department's website www.education.ie. Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. As outlined in the Circular governing the operation of the scheme, applications for works in the higher categories were prioritised. All schools who were not successful under the scheme will receive written notification shortly.

Higher Education Grants

121. **Deputy Finian McGrath** asked the Minister for Education and Skills if further assistance is available to a person (details supplied). [6499/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Support for students attending full-time third level education is provided by way of the Department's student grant schemes. Under the schemes, qualifying students may receive full support for fees and the Student Contribution as well as assistance towards maintenance. To establish eligibility for a grant, a student should apply to the grant awarding authority in the area where he/she resides.

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 clearly outlining clearly the grounds for the appeal.

As the Deputy has not indicated where the candidate in question resides, my Department was not in a position to ascertain if he applied for a student grant. However, no appeal has been received from him by my Department to date.

In addition to the student grant schemes, some €5m per annum is made available through the access offices of third-level institutions to assist students in exceptional financial need.

School Staffing

122. **Deputy Joe McHugh** asked the Minister for Education and Skills if he acknowledges that a school (details supplied) now qualifies for developing school status because its enrolment has increased by 15 since September 2009; if he will acknowledge the necessity of learning supports for which the school has applied; and if he will make a statement on the matter. [6508/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The criteria used for the allocation of teachers in primary schools is published annually on my Department's website. In terms of the provision 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 each year. It is open to the school to apply for developing school status as set out in the Department's Circular 19/2011 and it will be considered in the normal manner.

School Relocation

123. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will move to expedite a departmental matter (details supplied) that has been ongoing, in time for the next school year; and if he will make a statement on the matter. [6512/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers have been communicating with my Department regarding the school's proposal to re-locate to a new premises. Additional information and clarifications were requested from the school authority in February 2011. When this information has been received, the matter will be considered further and a decision on the matter will issue to the school authority.

Teaching Qualifications

124. **Deputy Michael Creed** asked the Minister for Education and Skills if he will clarify the situation regarding a recent circular by him which prohibits access to the teachers panel for employment rights by graduates who do not have their higher diploma in education completed; and if he will make a statement on the matter. [6525/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I assume the Deputy is referring to Circular 19/2011 which commences the redeployment process for surplus permanent teachers at primary level. This circular, which is available on my Department's website sets out the detailed arrangements for the operation of the redeployment process.

The redeployment panels that have now been published give priority to surplus permanent teachers. No schools can be given authority to commence recruitment in any other manner until the Department is satisfied that all the surplus permanent teachers are redeployed.

School Curriculum

125. **Deputy Peter Mathews** asked the Minister for Education and Skills his views on Irish remaining a compulsory subject on the leaving certificate course; and if he will make a statement on the matter. [6528/11]

Minister for Education and Skills (Deputy Ruairí Quinn): This Government is committed to supporting the overall thrust of 20 Year Strategy for the Irish Language 2010-2030, and to the delivery of the goals and targets proposed. As part of this, a thorough reform of the Irish curriculum and the way Irish is taught at primary and second level will be undertaken. The priority is to take steps to improve the quality and effectiveness of the teaching of Irish. When these steps have been implemented, the question of whether Irish should be optional at Leaving Certificate will be considered.

A revised Leaving Certificate curriculum in Irish began in all schools in September 2010 for first examination in 2012. The revised programme provides for an increase in the proportion of marks available for oral assessment to 40%, and is aimed at promoting a significant shift in emphasis towards Irish as a spoken language, where students can communicate and interact in a spontaneous way, and where Irish is spoken every day in schools. The National Council for Curriculum and Assessment has been asked to review this syllabus in the light of the experiences of students in the first examination.

School Staffing

126. **Deputy John O'Mahony** asked the Minister for Education and Skills if he will clarify the situation regarding the panel rights of a person (details supplied); and if he will make a statement on the matter. [6538/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The main focus in Teacher Allocation Section within my Department at present is the redeployment of surplus permanent teachers into vacancies.

The Department will consider queries in relation to supplementary panel rights for fixed-term teachers, including the teacher referred to by the Deputy, when the initial work on panels for redeployment of surplus permanent teachers is completed.

127. **Deputy John O'Mahony** asked the Minister for Education and Skills if he will clarify the situation regarding the panel rights of a person (details supplied); and if he will make a statement on the matter. [6539/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The main focus in Teacher Allocation Section within my Department at present is the redeployment of surplus permanent teachers into vacancies.

The Department will consider queries in relation to supplementary panel rights for fixed-term teachers, including the teacher referred to by the Deputy, when the initial work on panels for redeployment of surplus permanent teachers is completed.

Schools Building Projects

128. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills the position regarding a new school at a location (details supplied) in County Galway; and if he will make a statement on the matter. [6545/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to be able to confirm to the Deputy that a major project for the school to which he refers was included on the list of projects on the work programme for 2011, which was announced on 24 January 2011, where briefs will be formulated in 2011 and the process of appointing a Design Team will commence. In order to progress this matter further, the Department is in the first instance reviewing the Schedule of Accommodation and Brief Formulation to ensure that the previously-agreed schedule still meets the current and future needs of the school. Once this review is complete and everything is in order, the process of appointing a design team for the proposed project will commence.

129. **Deputy Jerry Buttimer** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Cork in the Department building programme. [6548/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers applied to my Department for large scale capital funding for a school building project to provide an extension, for which additional land will be required.

In accordance with the published criteria for large scale building projects, the project for this school has been assigned a Band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at www.education.ie.

The progression of all large scale building projects, including this project, from site evaluation and initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of a project for the school in question at this time.

Schools Refurbishment

130. **Deputy Ray Butler** asked the Minister for Education and Skills if a school (details

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supplied) in County Meath will qualify for funding under the summer works scheme for the provision of an astro turf pitch; and if he will make a statement on the matter. [6555/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy submitted an application for the development of an outdoor multi-purpose fenced play space under the 2011 Summer Works Scheme.

Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. As outlined in the Circular governing the operation of the scheme, applications for works in the higher categories were prioritised and it was not possible to include the school referred to by the Deputy in the list of 453 successful schools that were announced on Wednesday the 30th of March. A letter to this effect will be issuing to the school shortly.

Schools Building Projects

131. **Deputy Ray Butler** asked the Minister for Education and Skills the position regarding the provision of a new post primary school building at a location (details supplied) in County Meath for which a site has been purchased in 2009 to facilitate this project; when will a design team be appointed; when will construction work commence; the reason for the delay in the process to date; and if he will make a statement on the matter. [6556/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that my Department has completed the acquisition of a site for the provision of a new post-primary school building in County Meath.

A proposal to construct a new school building was assessed in accordance with the published prioritisation criteria for large scale building projects used by my Department and assigned a band 2 rating.

Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of the Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the Department's capital budget, it is not possible to give an indicative timeframe for the progression of the project at this time.

Schools Refurbishment

132. **Deputy John O'Mahony** asked the Minister for Education and Skills when a decision will issue in respect of a school (details supplied) in County Mayo; and if he will make a statement on the matter. [6559/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy submitted an application for works under the 2011 Summer Works Scheme.

Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. As outlined in the Circular governing the operation of the scheme, applications for works in the higher categories were prioritised and it was not possible to include the school referred to by the Deputy in the list of 453 successful schools that were announced on 30 March 2011. A letter to this effect will be issuing to the school shortly.

Higher Education Grants

133. **Deputy Joe McHugh** asked the Minister for Education and Skills if he contemplates any changes to third level student grants for the next academic year; if he will address this with specific reference to grant schemes that are in place for mature students at institutes of technology; and if he will make a statement on the matter. [6562/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I understand that the changes to the student grant schemes introduced under Budget 2011 by the previous Fianna Fail — Green Party government including those relative to mature students, were designed to manage additional cost pressures arising from a significant increase in the number of students qualifying for grants, a proportionate increase in the number of students qualifying for higher rates of grants and payment of the Student Service Charge on behalf of grant-holders.

These changes included removal of the automatic eligibility of mature students to the higher non-adjacent rate of grant. This will come into effect 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.

I understand the concerns of students with regard to these measures and I will take account of these in considering any future changes as part of the budgetary process for 2012 and beyond, having regard to the position of the public finances.

Qualifying mature students attending Institutes of Technology, as with all other qualifying students, will continue to receive student grants at the current rate applicable to their individual circumstances together with full support for payment of fees and the Student Contribution. Those on particularly low incomes will also continue to receive a “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.

Value for Money Reviews

134. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will respond to a submission from a primary school (details supplied); and if he will make a statement on the matter. [6563/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The closing date for receipt of submissions to the value for money review of small primary schools was Friday 18th March 2011. A large response was received and the submissions are currently being sorted and acknowledged. I can confirm that almost 1,000 submissions have been received.

The Deputy will appreciate that in the context of this volume of submissions it is not feasible to respond to every submission. However, the content of submissions will be reflected in the review.

The review should be completed by the end of this year and I plan to consider the review's outcomes when they are finalised.

School Closures

135. **Deputy Niall Collins** asked the Minister for Education and Skills the position regarding the trustee position of a school (details supplied); the long-term plan for this school; and if he will make a statement on the matter. [6566/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Officials in my Department met the Trustees of the school referred to by the Deputy in June 2010 to discuss the future status of the school.

[Deputy Ruairí Quinn.]

Further to that meeting the Trustees wrote to the Department to advise that, having assessed all options open to them, the current Trustees of the school will not be in a position to continue in trusteeship after 2012.

They also informed my Department that all options with regard to this school have been fully examined and it was confirmed by the Trustees that the school will close in 2012. The Trustees have been keeping the parents/guardians of pupils in the school up to date and they were informed last year of the decision to close in order to allow them to make alternative arrangements.

The Department has acknowledged the Trustees' position and confirmed that the Department will continue to support the school with the current level of ongoing repairs/maintenance up to the time of the school's closure.

Pupil-Teacher Ratio

136. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will consider applying the pupil-teacher ratio that currently applies to primary schools in Gaeltacht areas to Gaelscoileanna, in view of the fact that the four-year National Recovery Plan 2011 — 2015 introduced by the previous Government suppressed the Gaelscoileanna pupil-teacher ratio and now Gaelscoileanna are allocated teaching posts on the same criteria as primary schools that teach through the medium of English; his views that this does not take into account the specific requirements associated with Gaeloideachas; and if he will make a statement on the matter. [6570/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The standardisation of the staffing schedule for Gaelscoileanna so that it is the same as that which applies to primary schools generally was one of a number of measures introduced in Budget 2011 by the previous Fianna Fáil /Green Party government to control and reduce teacher numbers. These changes are effective from September 2011. Given the financial constraints in which this country now finds itself, it is not possible to reverse these changes. This change will result in a reduction of the order of 50 posts in Gaelscoileanna. There are currently a total of over 1,500 teaching posts in these schools. The Gaelscoileanna movement is well established and I do not believe that the growth of Gaelscoileanna will be impeded by way of this measure. The actual impact at individual school level is determined as part of the allocation process for 2011/12 school year and schools are being notified in the normal manner. This Government will endeavour to protect front line education services as best as possible. However, this must be done within the context of bringing our overall public expenditure back into line with what we can afford as a country. All areas of Government, including Gaelscoileanna, will have to manage on a reduced level of resources. The challenge will be to ensure that the resources that are being provided are used to maximum effect and in a fair manner.

Higher Education Grants

137. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will address a matter (details supplied); and if he will make a statement on the matter. [6572/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Higher Diploma in Science in Computing in Letterkenny Institute of Technology was funded under the Department's 2010 Labour Market Activation Fund. Funding for this course is available until June 2011. Eligible participants participating in the programme until June 2011 received fee support under Labour Market Activation funding.

With regard to additional financial assistance, under the terms of the Higher Education Grant Scheme which covers full time programmes of study, a student is not eligible for grant assistance in respect of a second period of study at the same level, irrespective of whether or not a grant was paid previously. However, financial assistance may be available to eligible candidates who wish to study full time at higher level, which represents progression from the level at which the first qualification was attained. The main objective of this policy is to assist as many students as possible in obtaining one undergraduate degree and in progressing, where appropriate, to a postgraduate course of study. Subject to the conditions of the individual schemes, free tuition and grants are available where students are progressing to a course at a higher level.

Eligibility for the Back to Education Allowance and associated payments is determined and administered by the Department of Social Protection and is a matter for my colleague, the Minister for Social Protection.

Schools Building Projects

138. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding a planned extension to a secondary school (details supplied) in County Cork. [6608/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The building project for the school referred to by the Deputy is currently at an early stage of architectural planning. The Stage 1 submission, which incorporates Preliminary Design was recently lodged with my Department. My officials are currently reviewing this documentation and will revert to the School and to the Design Team when this review is complete.

Site Acquisitions

139. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the acquisition of a site to facilitate the construction of a primary school (details supplied) in County Cork. [6609/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Property Management Section of the Office of Public Works has, on behalf of my Department, very recently identified site options in the area for the school referred to by the Deputy and these sites are under consideration by my Department. The acquisition of a suitable site and the delivery of a new school building will be considered in the context of existing commitments and other competing demands on the Department's capital budget.

Schools Building Projects

140. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the provision of an extension for the existing special needs unit in a primary school (details supplied) in County Cork. [6610/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The project to which the Deputy refers is currently at tender stage. Subject to no issues arising, it is anticipated that the project will proceed to construction in the coming months.

141. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the application for a new school building by a national school (details supplied) in County Cork. [6611/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that my Department has reached agreement, in principle, subject to contract with Cork County Council, and is in ongoing liaison with the Local Authority, in relation to the proposed acquisition of a site for the project to which he refers.

Due to the commercial sensitivities relating to site acquisitions, I am not in a position to comment further at this time. Once this 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.

142. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding planned extension and refurbishment works at a second-level school (details supplied) in County Cork. [6612/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that officials from my Department are liaising with the school authority in relation to addressing site and access issues which must be resolved before the project at the school to which he refers can be progressed further.

143. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding a planned extension to a primary school (details supplied) in County Cork and if he will set out a timeline for the completion of the project. [6613/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The project to which the Deputy refers is at an advanced stage of the tender process. Subject to no issues arising, it is envisaged that once construction commences the project will take approximately eighteen months to complete.

144. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding planned refurbishment work and a new building for a school (details supplied) in Cork. [6614/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The project to which the Deputy refers is at an advanced stage of architectural planning. It forms part of the 2011 School Building Programme announced in January. I am pleased to inform the Deputy that the project design team lodged an application for Planning Permission for the main development with the Local Authority on 16th March last.

145. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the appointment of a design team for an extension to a primary school (details supplied) in County Cork. [6615/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that a major project for the school to which he refers was included on a list of projects, which were announced on 24 January 2011, for which briefs will be formulated in 2011. Officials from my Department will be in touch with the school authority shortly regarding a site visit to the school, which is the next step required to formulate the capital project brief. Following formulation of a brief for the project, the process of appointing a Design Team will commence.

School Patronage

146. **Deputy Brendan Smith** asked the Minister for Education and Skills the reason he decided upon a figure of 50% of schools to be divested from the control of the catholic church

before the forum on patronage and pluralism has begun its consultations with the relevant stakeholders. [6627/11]

147. **Deputy Brendan Smith** asked the Minister for Education and Skills his views whether it is realistic to begin divesting 1,500 schools from the patronage of the catholic church by January 2012. [6628/11]

148. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has considered the legal complexities involved in transferring patronage from one patron to another. [6629/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 146, 147 and 148 together.

As the Deputies will not doubt be aware, I have recently announced the establishment of a Forum on Patronage and Pluralism in the Primary Sector which will be convened in the coming weeks and will complete its work before the end of this year. The Forum will offer a platform for consideration of the very many issues that arise in the context of divesting of patronage by the Catholic Church and transfer of patronage generally. The Forum will take a multi-dimensional approach involving consultations with the key education stakeholders, including parents and other interested parties in order to ensure the widest possible consultation on this important issue. The Forum will be led by the Advisory Group which I have established for this purpose. I would hope that the work of the Forum will deliver clear agreed specific modalities for the transfer of patronage which will allow for progress to be made on actual transfers during 2012.

Vocational Education Committees

149. **Deputy Brendan Smith** asked the Minister for Education and Skills if he proposes to continue with proposals to provide a role for vocational education committees in the provision of primary education. [6630/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to consider further the role of vocational education committees in the provision of primary education in the light of the outcome of the Forum on Patronage and Pluralism in the Primary Sector and other factors.

As the Deputy will be aware, I have announced the establishment of a Forum on Patronage and Pluralism in the Primary Sector which I will formally launch on 19 April. The terms of reference of the Forum are to advise me on:

1. how it can best be ensured that the education system can provide a sufficiently diverse number and range of primary schools catering for all religions and none;
2. the practicalities of how transfer/divesting of patronage should operate for individual primary schools in communities where it is appropriate and necessary;
3. how such transfer/divesting can be advanced to ensure that demands for diversity of patronage (including from an Irish language perspective) can be identified and met on a widespread basis nationally.

I have appointed an Advisory Group to convene the Forum, to receive and distil the various views and perspectives of participants and to then provide me with policy advice having regard to the Terms of Reference. The Advisory Group will conduct a number of meetings in public and will seek submissions from the public as part of its work. The work of the Forum will begin on 19th April and is expected to conclude before the end of this year.

[Deputy Ruairí Quinn.]

The Forum for Patronage and Pluralism in the primary sector is a key education objective of the Programme for a National Government 2011-2016. It will provide a platform for what I believe is an essential debate within the education sector and I believe that it is appropriate to consider the role of VECs in primary education following this work.

Schools Recognition

150. **Deputy Brendan Smith** asked the Minister for Education and Skills if he plans to proceed with plans to reform the process for recognition of new second level schools. [6631/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government gives a commitment to move towards a more pluralist system of patronage at second level, recognising a wider number of patrons. It is my intention to address this policy over the lifetime of this Government.

I will turn my attention to the issue of patronage at second level in due course and I will consider the role that all patron bodies can play in ensuring our education system caters for a pluralism of choice which reflects the needs of Ireland today and into the future.

School Staffing

151. **Deputy Eamonn Maloney** asked the Minister for Education and Skills if his attention has been drawn to the fact that a DEIS band 1 school (details supplied) in Dublin 24 is to lose up to eight staff members for the next school year; the reasons this school is to lose up to five special needs assistant posts; the reason two teaching posts to support Traveller children are to be lost at a time when the school is successfully accommodating almost 40 Traveller children; the alleviation measures the school can avail of to limit its loss of staffing; the steps he will take to have this school's needs investigated urgently with a view to preserving staff numbers at a time of growth in enrolment and acute need in the local community; and if he will make a statement on the matter. [6632/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that the Programme for Government clearly states that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students. To that end, we will endeavour to protect front-line services in education.

However, I do not intend to revisit the decision of the previous Government to withdraw resource teacher for traveller posts. The Deputy will understand that Ireland is effectively now in economic receivership because of the disastrous legacy of the last Fianna Fáil/Green Party Government. The requirements to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

The decision to withdraw resource teacher for traveller posts is broadly in keeping with the recommendation in the Report and Recommendations for a Traveller Education Strategy that an integrated, collaborative and in-class learning support system should be adopted for all children, including Travellers, with an identified educational need. The strategy aims to enhance access, attendance, participation and engagement for Travellers and is underpinned by the principles of inclusion and mainstreaming with an emphasis on equality and diversity. Traveller pupils who are eligible for learning support teaching will, from the next school year, receive this tuition through the existing learning support provision in schools. All schools should select students for learning support on the basis of priority of need.

I do recognise that withdrawing all RTT posts will place a strain on existing learning support services in schools. In recognition of this, limited alleviation measures are being provided to assist schools that have high concentrations of Traveller pupils and who were previously supported by Resource Teachers for Travellers.

In respect of DEIS (Developing Equality of Opportunity in Schools) Band 1 schools, Traveller enrolments have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011/12 school year. The schools involved have already received their staffing allocations for next year.

With regard to allocation of SNA support, 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 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.

It is important to understand in relation to the SNA allocation process that SNA allocations are not permanent. The level of SNA support allocated to a school is increased or decreased as pupils who qualify for SNA support enrol or leave a school. They are also decreased where a child's care needs may have diminished over time.

The NCSE has issued a circular to all schools advising of the SNA allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of SNA support to eligible schools. The NCSE will consider applications for additional SNA support in the context of this process for the 2011/12 school year.

Schools will be engaging with the NCSE in this regard ahead of the next school year and the NCSE will review the SNA staffing requirements for schools, taking into account all of the students who will be attending school from September next and any new students that the school are intending to enrol. As such, the overall SNA allocation for the school referred to by the Deputy will be reviewed for the coming school year in this context.

Higher Education Grants

152. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills if a review of an application for third level grant will be undertaken at an early date in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [6638/11]

Minister for Education and Skills (Deputy Ruairí Quinn): 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.

The grant awarding authority in question has advised my Department that an application for a grant from the student to which the Deputy refers was unsuccessful. It is open to the student to appeal this decision to the grant awarding authority. Where a grant awarding authority decides to reject such an appeal, the applicant may appeal this decision to my Department by submitting an appeal form clearly outlining the grounds for the appeal. I understand that, to date, the student has not appealed the decision to the grant awarding authority.

School Staffing

153. **Deputy Robert Dowds** asked the Minister for Education and Skills if he will establish a teaching panel for Gaelscoileanna at primary level or failing that, to give Gaelscoileanna the authority to interview teachers from the other teaching panels to ensure that teachers appointed to Gaelscoileanna have a sufficient standard of Irish. [6675/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Over half of the Gaelscoileanna are under catholic patronage and the redeployment of surplus teachers from these schools is through the relevant diocesan panels. Under the existing redeployment arrangements a Board of management has the right to interview, once there is more than one teacher on a panel.

My Department had discussions recently with An Foras Pátrúnachta in relation to its request for a separate panel for Gaelscoileanna under its patronage. These discussions are on-going and a key issue for my Department is how best to facilitate this request in a manner that avoids the inherent inefficiencies of a separate panel for a relatively small number of schools. Given our budgetary situation we need to have sufficient flexibility in the redeployment arrangements to ensure that surplus teachers in all schools regardless of patronage type can be readily redeployed to vacancies wherever they exist.

The existing arrangements for the redeployment of surplus teachers operate between schools of the same patronage and are not certain to bring about the redeployment of all surplus teachers. To address the current limitations my Department will be seeking in the coming period to recommence discussions with the relevant education partners, including An Foras Pátrúnachta, on changes necessary to achieve our objective of absorbing all surplus teachers into vacancies that exist in other schools. These discussions can also deal with the request for a separate redeployment panel for Gaelscoileanna under the patronage of An Foras Pátrúnachta.

School Curriculum

154. **Deputy Niall Collins** asked the Minister for Education and Skills if he will fund a music course (details supplied); and if he will make a statement on the matter. [6688/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Music is a core part of the arts curriculum in all classes in all primary schools and comprises listening, and responding, performing and composing activities. A revised primary curriculum in Music was introduced in 2005, supported by a national programme of professional development for teachers. I am very aware of the excellent work being done by schools using music as a key vehicle to promote inclusion and effective learning.

Schools in DEIS and School Completion Projects are provided with additional funding and have discretion as to how best to spend these funds within a framework of guidelines set out by my Department. The guidelines provide that funding may be used on initiatives to support retention, supporting and engaging parents and the wider community, co-operation with the youth sector, promoting cross curricular literacy initiatives, music, dance, drama, and promoting social, sport and leisure activities which impact on children's learning. The music education project falls well within the parameters of what can be funded under DEIS and the School Completion Programme.

Other than the additional resources available through DEIS and the School Completion Programme to schools designated as disadvantaged, my Department is not in a position at this time to provide additional funding to support the "Music Made Easy" programme in primary schools.

However, a partnership between U2, Music Network, the International Funds for Ireland and the education sector is enabling a series of music education partnerships to be established around the country on a phased basis to provide vocal and instrumental music tuition for young people. The initiative was made possible by a donation of €5m from U2, and a commitment from the Ireland Funds to raise €2m. These contributions will fund the initiative in the early years of development, with the intention that programmes will be continued into the future with Exchequer funding when the donations cease.

The initiative is being managed by a company called Music Generation (www.musicgeneration.ie). A call for proposals was issued on 17 January 2011 seeking applications from local Music Education Partnerships across the country who wish to apply for funding. Music Generation aims to help children and young people to access music education in their own locality. The focus is on co-ordinated area-based provision as part of a partnership, not on funding for individual schools.

Funding for up to twelve Music Education Partnerships will be awarded by Music Generation on a phased basis from 2011-2015, most likely in three locations at a time. Music Education Partnerships are eligible to apply for 50% funding, up to a maximum of €200,000 per annum over three years. The closing date for Round 1 applications was March 31st, 2011, but there will be further rounds of the initiative each year until 12 partnerships are established. The lead partner in the Music Education Partnership must be a statutory agency.

The provision of music in the school curriculum, supplemented by an expanding network of music education partnerships, and the provision of some 68,000 hours of music tuition provided in certain locations in the form of co-operation hours through the VEC system, allied with flexible funds for DEIS and School Completion Programme schools together form part of the strategy to widen access to music education for young people in the period ahead.

School Libraries

155. **Deputy Michael P. Kitt** asked the Minister for Education and Skills if funding for school libraries will be restored; if, at least €1 million could be provided; if it is proposed to source the funding from another Department; and if he will make a statement on the matter. [6696/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The current financial situation and Ireland's reliance on external funding through the EU/IMF Support Programme means inevitably that the funding situation will be extremely difficult in the period ahead. I would be misleading the Deputy if I pretended otherwise. The Government will do its best to prioritise education spending and protect front-line services but the reality is that my Department will have to bear its share of the Government's overall effort to cut public spending in order to deal with our fiscal crisis.

In these circumstances, it is not possible to restore the grant to local authorities for the provision of library services to primary schools, and I do not believe that it will be possible for any other Department to replace this funding. Individual Boards of Management may allocate their combined capitation and ancillary funding according to the priorities of the school.

Schools Refurbishment

156. **Deputy Michael McGrath** asked the Minister for Education and Skills if the summer works scheme 2011 will be proceeding in line with the announcement in December last. [6702/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to be able to confirm to the Deputy that I recently announced that 453 primary and post primary schools across the country will be receiving funding under the 2011 Summer Works Scheme. Details of the schools in question are available on my Department's website www.education.ie. All schools who applied for funding under the scheme will receive written notification of the outcome of their application.

157. **Deputy Michael Creed** asked the Minister for Education and Skills the number of schools in County Cork which have applied for support under the summer works scheme; the number which were unsuccessful in their application and in the case of a primary school (details

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supplied) in County Cork, the options open to it to achieve alternative funding; and if he will make a statement on the matter. [6705/11]

158. **Deputy Michael Creed** asked the Minister for Education and Skills the number of schools in County Cork which have applied for support under the summer works scheme; the number which were unsuccessful in their application and in the case of a post primary school (details supplied) in County Cork, the options open to it to achieve alternative funding; and if he will make a statement on the matter. [6706/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 157 and 158 together.

I can confirm to the Deputy that a total of 252 applications for funding under the Summer Works Scheme, 2011, were received from schools in County Cork. Of these, 46 schools in County Cork were included in my announcement on 30th March of a total of 453 schools in the country whose applications for funding were successful.

Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. As outlined in the Circular governing the operation of the scheme, applications for works in the higher categories were prioritised and it was not possible to include the schools referred to the Deputy in the list of successful applicants. Letters to this effect will be issuing to the schools shortly. It is open to the schools in question to apply for funding under future rounds of the Summer Works Scheme.

In the meantime, for works that are of a very urgent nature, it is open to the school authorities to consider if the works in question qualify for funding under my Department's Emergency Works Scheme. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate action and, in the case of a school, if not corrected would prevent the school or part thereof from opening. Details of the Scheme, together with an application form for grant assistance, can be accessed on my Department's website at www.education.ie

Schools Building Projects

159. **Deputy Jim Daly** asked the Minister for Education and Skills if there is a proposal to advertise for a design team in the European journal to suitably design an extension for a school (details supplied) in County Cork. [6718/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that a major project for the school to which he refers was included on a list of projects, which were announced on 24 January 2011, for which briefs will be formulated in 2011.

Officials from my Department will be in touch with the school authority shortly regarding a site visit to the school, which is the next step required to formulate the capital project brief. Following formulation of a brief for the project, the process of appointing a Design Team will commence.

Schools Refurbishment

160. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills if he has received an application for a summer grant scheme in respect of a school (details supplied) in County Galway; when will the application be processed; and if he will make a statement on the matter. [6760/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy submitted an application under the 2011 Summer Works Scheme.

Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. As outlined in the Circular governing the operation of the scheme, applications for works in the higher categories were prioritised and it was not possible to include the school referred to by the Deputy in the list of 453 successful schools that were announced on Wednesday the 30th of March. A letter to this effect will be issuing to the school authority shortly.

161. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills if he has received an application for minor repair works scheme in respect of a school (details supplied) in County Galway; when the application will be processed; and if he will make a statement on the matter. [6761/11]

Minister for Education and Skills (Deputy Ruairí Quinn): An application for funding under my Department's Emergency Works Scheme was received in March of this year from the school referred to by the Deputy. The application related to the replacement of roof slates. This school previously received funding for roof works.

The purpose of the Emergency Works Scheme is solely for unforeseen emergencies or to provide funding to facilitate inclusion and access for special needs pupils. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment, which is sudden, unforeseen and requires immediate action and in the case of a school, if not corrected would prevent the school or part thereof from opening.

As the scope of works requested by the school in question is outside the terms of the Emergency Works Scheme, the school has been informed that it cannot be considered for emergency funding. The school authority was also advised to raise the issue with the Consultant engaged on the original project.

Education Schemes

162. **Deputy Joe Higgins** asked the Minister for Education and Skills if he will provide financing to secure the JobFit Programme in an area (details supplied) and prevent the loss of seven jobs [6774/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Labour Market Activation Fund was launched in March 2010, in order to assist in the creation of training and education provision for specific priority groups among the unemployed, namely the low skilled, and those formerly employed in declining sectors — construction, retail and manufacturing sectors with particular emphasis on the under 35s and the long-term unemployed.

TBG Learning Ltd was one of those who were successful in the tendering competition and were contracted to provide programmes of 12 weeks duration for the unemployed under the Labour Market Activation Fund. TBG Learning promotes 'JobFit' as a free, new, innovative training programme for unemployed people looking to get a job or to move onto further education and training. Work experience is provided by local employers for periods of up to 4 full weeks, delivered flexibly according to employer and participants needs. The contract with TBG Learning provides for the training of 1,500 participants a total sum of €7.03m for the provision of these programmes in 2010 and up to March 2011.

No budgetary provision was made for a further iteration of the fund in 2011. However I recently decided to re-distribute savings achieved under the Fund to a number of existing funded projects.

In the context of savings achieved under the 2010 Fund, I approved funding for a proposal from TBG Learning to deliver additional 382 places on JobFit programme, at a cost of

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€500,000, within the parameters of the 2010 Fund. I understand that Blanchardstown is not one of the locations covered by the TBG proposal for extended funding but this was the decision of TBG itself. I do not propose to make any further funding available under the LMAF at this time. A full examination of the Fund is to be undertaken during 2011 and the findings from that exercise will, among other things, inform labour market policy priorities into the future.

Departmental Agencies

163. **Deputy Olivia Mitchell** asked the Minister for Education and Skills the number of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems; and the reason such a function could not be provided by his Department [6798/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department, most recently in the context of the Transforming Public Services strategy, has been evaluating the potential to secure savings and efficiencies by extending the use of shared services as widely as possible across the education sector. This consideration has included examination of the feasibility of operating systems of shared payroll services for bodies and agencies under the aegis of my Department. Progress is being made in this area.

The payroll system operated by my Department provides payroll services for the Civil Servants employed directly in the Department and for staff in a number other bodies with similar type staff structures. These include the State Examinations Commission, the National Council for Curriculum and Assessment, the Residential Institutions Redress Board, certain staff in the Commission to Inquire into Child Abuse and An Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta. The Department is examining with other aegis bodies how their payroll systems can be operated in the most cost-effective manner. In some cases, including due to the specificities of the staffing structures in these bodies, the provision of a payroll service by my own Department may not be the most cost-effective solution.

My Department is also examining the potential for the movement of the Civil Service payroll to a common shared services platform to be operated by a central payroll services provider. In this regard, my officials are currently involved in discussions with potential providers.

The pursuit of the Transforming Public Services strategy in relation to payroll is also visible in a number of other areas of the education sector. For example, the Higher Education Authority has identified the progression of shared services and procurement initiatives in the sector as a key outcome for 2011 and is in ongoing consultation with the sector in relation to progression of such initiatives. With regard to the Institutes of Technology, new forms of enhanced collaboration are being considered, including the possible merger of payroll services. The University sector is now considering payroll systems in the context of a more extensive shared services vision, where critical mass and economies of scale strengthen the business case. Work is also progressing on the development of a shared payroll and financial services model for Vocational Education Committees. The business case for this proposal is currently being evaluated by the Department of Finance.

My Department will continue to encourage bodies across the education sector to harness the potential for savings and efficiencies offered by shared services technologies.

Special Educational Needs

164. **Deputy Olivia Mitchell** asked the Minister for Education and Skills if he will provide a progress report on efforts to secure a post-primary class in a local school to provide for special

need children due to leave a school (details supplied) over the next number of years; and if he will make a statement on the matter. [6811/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports, including applications for the establishment of special classes, in various geographical areas as required. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

All schools have the names and contact details of their local SENO. Parents may also contact the SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

Question No. 165 answered with Question No. 114.

Schools Refurbishment

166. **Deputy Bernard J. Durkan** asked the Minister for Education and Skills when provision is likely to be made for a new PE Hall at a school (details supplied) in view of the fact that the existing structure does not meet health and safety requirements; and if he will make a statement on the matter. [6825/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers has applied to my Department for large scale capital funding to include for the replacement of the school's Assembly Hall/Gym In accordance with the published criteria for large scale building projects, the project for this school has been assigned a Band 2 rating. Information in respect of the current school building programme along with all assessed applications for major capital works, including this project, is available on the Department's website at www.education.ie.

The progression of all large scale building projects, including a project for this school, from initial design stage through to construction phase will be considered in the context of my Department's future multi-annual School Building and Modernisation Programme.

In the meantime, for works that are of a very urgent nature, it is open to the school management to consider if the works in question qualify for funding under my Department's Emergency Works Scheme. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate action and, in the case of a school, if not corrected would prevent the school or part thereof from opening. Details of the Scheme, together with an application form for grant assistance, can be accessed on my Department's website at www.education.ie

Schools Building Projects

167. **Deputy Paudie Coffey** asked the Minister for Education and Skills the position regarding an application to build a school extension under the capital building programme in respect of a school (details supplied) in County Waterford; and if he will make a statement on the matter. [6842/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The school to which the Deputy refers has applied to my Department for large scale capital funding for an extension project. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a band 1 rating. Information in respect of the current

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school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

Value for Money Review

168. **Deputy Noel Harrington** asked the Minister for Education and Skills when the small school value for money review report will be published and if he will state the criteria set out to the group conducting this review; when he will be in a position to publish the report; and if he will make a statement on the matter. [6855/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I expect the report on the value for money of small primary school provision to be finalised by the end of the year. I will then have to consider its outcomes and publication will be arranged at that stage. The terms of reference for the Steering Committee are published on my Department's website.

169. **Deputy Noel Harrington** asked the Minister for Education and Skills regarding the small school value for money review report, if he will list all the schools and the number of pupils in each in County Cork that are being included in this report; and if he will make a statement on the matter. [6856/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The primary focus of the value for money review of small primary schools is on all primary schools nationwide with an enrolment of less than 50 pupils. Information sought by the Deputy in relation to the relevant schools in County Cork is available from my Department's website.

School Transport

170. **Deputy Niall Collins** asked the Minister for Education and Skills if he will examine a specific aspect of school bus transport (details supplied) in light of recent changes [6863/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the recently published Value for Money Review of the scheme. The change to the rule, referred to by the Deputy, means that the distance criteria will be applied uniformly and equitably on a national basis. From the 2012/2013 school year, school transport eligibility for all pupils newly entering national schools will be determined by reference to the nearest national school, having regard to ethos and language. Existing eligible primary pupils availing of transport under the Rule in question will retain transport eligibility for the duration of their schooling, provided the requisite distance criterion is met. Given the major financial constraints facing the country, it is not my intention at this stage to reverse the changes to school transport as announced in Budget 2011. We all have to remember that the decisions of the last government effectively put this country into receivership.

Proposed Legislation

171. **Deputy Clare Daly** asked the Minister for Enterprise, Trade and Innovation his plans to introduce legislation to close down Smithfield horse market, Dublin; and if he will make a statement on the matter. [6459/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The selling of goods in public places is governed by the Casual Trading Act, 1995. Under this Act all operational matters in connection with casual trading are the responsibility of the relevant local authority in which the trading takes place. I understand that the Smithfield market operates pursuant to a “market right” which is defined in the Act as “a right conferred by franchise or statute to hold a fair or market, that is to say, a concourse of buyers and sellers to dispose of commodities”.

I have been requested by the Lord Mayor of Dublin to introduce legislation to extinguish the market right in Smithfield in Dublin. The law on this matter is complex and my officials have made a detailed submission to the Office of the Attorney General seeking legal advice. When I have received this advice I will decide the best way to proceed.

Industrial Relations

172. **Deputy Michael McGrath** asked the Minister for Enterprise, Trade and Innovation the position regarding the independent review of the framework registered employment agreements and employment regulation orders arrangements which is required under the agreement between Ireland and the EU-IMF [6474/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The Review of the JLC and REA mechanisms was initiated on 8 February 2011 last and is being undertaken jointly by Kevin Duffy, Chairman of the Labour Court acting in an ad hoc capacity and Dr Frank Walsh, School of Economics, UCD, under specific terms of reference.

The review is a commitment under the EU/IMF programme, which provided not only for agreement on the terms of reference but also the programme of actions arising.

Public notices were placed in national newspapers early February and key stakeholders contacted to seek submissions by 25 February last. I understand that the Review Team subsequently met with a number of stakeholders to discuss their submissions. These are being analysed by the Review Team.

I expect that the Review will be completed and submitted to me in mid-April and will be published following consideration by the Government. An action plan will be developed in consultation with the EU/IMF with a view to early implementation of reforms.

Employment Action Plan

173. **Deputy Olivia Mitchell** asked the Minister for Enterprise, Trade and Innovation his plans to replace or put in place a similar scheme to the employment subsidy scheme temporary that closed in March 2011; and if he will make a statement on the matter. [6496/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The Employment Subsidy Scheme (Temporary) was introduced to help employees maintain their jobs while at the same time assisting employers to retain their productive capacity. The Scheme was operated as part of an Irish State aid scheme approved under the European Commission’s Temporary Framework on State aid, introduced in December 2008. The Framework was brought in on a temporary basis to allow Member States increased flexibility to assist companies in the real economy that were facing difficulties in accessing finance as a result of the economic downturn.

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There are no plans to replace the Employment Subsidy Scheme. I should add that the approved Irish State aid scheme under the Temporary Framework expired on 31st December 2010. An amendment to the Temporary Framework by the European Commission in December 2010 means that it would no longer be possible to secure approval for any prolongation of this scheme.

174. **Deputy Niall Collins** asked the Minister for Enterprise, Trade and Innovation the steps he is taking to create employment in County Limerick; and if he will make a statement on the matter. [6565/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): Job creation is central to our economic recovery and the Programme for Government has job creation at its core. The role of my Department is to ensure that we have the right policies to support enterprise and innovation so that quality employment opportunities can be grown and maintained. It is only by creating the right environment for businesses to expand that we will see new jobs coming on stream.

Limerick's FDI base is concentrated for the most part in the city environs of the National Technology Park and Raheen. IDA Ireland supports 38 companies in County Limerick that employ almost 6,000 people. IDA's strategy is to re-position the region as a hotspot for knowledge based industry, while focusing on marketing Limerick as a key location for investment, by building on the strengths already evident in the county. To support this strategy, IDA Ireland works closely with educational institutions in the region to develop the skill sets necessary to attract high value-added employment to the county. In March 2010, IDA published its strategy for the forthcoming decade, "*Horizon 2020*". "*Horizon 2020*" sets out IDA's targets for the five-year period to 2014. One of these targets is to secure 50% of investments outside Dublin and Cork

The CEO of IDA informed the Oireachtas Joint Committee on Enterprise and Employment last December that IDA expected three project announcements in the Limerick region in the first half of 2011. The first of these companies announced in December 2010 that it was establishing its European sales and marketing headquarters in the National Technology Park; the first employees have now been recruited and the project is up and running. With regard to the other two investments for Limerick, IDA remains confident that both projects will proceed and will be announced in the coming months.

Enterprise Ireland will continue to support job creation through a number of interventions, such as supporting the establishment and growth of high potential start-up companies and supporting companies to target new opportunities in overseas markets.

In 2010, Enterprise Ireland paid €7.3m to client companies in Co. Limerick. At present, there are 264 Enterprise Ireland client companies in Co. Limerick, employing over 6,000 people. The agency has approved funding under the Community Enterprise Centre Scheme for eight community enterprise centres amounting to €2.19m to date.

The priorities for the Enterprise Boards based in Limerick in 2011 are to assist owner/managers in enhancing the survival and sustainability of their businesses in these difficult economic times and to assist people wishing to start their own business including those made redundant. A budget of over €775,000 has been made available to the two Enterprise Boards in Limerick for the provision of supports (financial and non-financial) in 2011. At present, there are over 1,800 people employed in companies supported by the two enterprise boards operating in Limerick City and County. In addition to their core activities both Boards are

distributing funding available under the Dell European Globalisation Fund facility to former Dell workers who have set up their own business subsequent to being made redundant.

The Government has committed to the introduction of a Jobs Budget within its first 100 days. This will facilitate the implementation of a number of measures across a range of Government Departments.

As part of my jobs and growth plan I will be promoting in the context of the upcoming Jobs Budget measures such as:

- A reduction in PRSI costs for employers;
- Addressing legal costs for businesses through various initiatives currently in development;
- A partial loan guarantee scheme to increase the flow of credit to job-creating businesses;
- An end to upward-only rent reviews.

For my own part, I intend to develop initiatives to target particular sectors where there is greatest opportunity to capitalise on the strengths of our enterprise base and our people. I have already started working with the enterprise agencies under my Department's remit to develop a Jobs Programme that will develop the detail of these initiatives. The actions to be taken across Government will stimulate the economy, facilitate enterprise and encourage job creation, including in Co. Limerick.

Property Management Companies

175. **Deputy Peter Mathews** asked the Minister for Enterprise, Trade and Innovation the penalties a management company of an apartment block are liable to face if they breach section 131 and 148(7) of the Companies Act 1963 by not holding an annual general meeting within 15 months; and if he will make a statement on the matter. [6720/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The Multi-Unit Developments Act 2011 makes provision for the operation of management bodies of multi-unit developments and is primarily a matter for the Department of Justice and Equality.

The penalties for companies in breach of the sections referred to by the Deputy are set out in section 131(6) and section 148 (11) of the Companies Act 1963.

Section 131(6) (as amended) provides as follows:

(6) If default is made in holding a meeting of the company in accordance with subsection (1), or in complying with any direction of the [Director] under subsection (3), the company and every officer of the company who is in default [shall be guilty of an offence and liable to a fine] not exceeding [€1,904.61, and if default is made in complying with subsection (5), the company and every officer of the company who is in default [shall be guilty of an offence and liable to a fine] not exceeding €1,904.61.

Section 148(11) (as amended) provides as follows:

(11) Where any person being a director of a company fails to take all reasonable steps to comply with this section, the person is, in respect of each offence, liable on summary conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding € 635 or to both, so, however that—

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(a) in any proceedings against a person in respect of an offence under this section, it shall be a defence to prove that the person had reasonable ground to believe and did believe that a competent and reliable person was charged with the duty of seeing that this section was complied with and was in a position to discharge that duty, and

(b) a person shall not be sentenced to imprisonment for such an offence unless, in the opinion of the court dealing with the case, the offence was committed wilfully.

Work Permits

176. **Deputy Jack Wall** asked the Minister for Enterprise, Trade and Innovation the position regarding an application for a work permit in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6723/11]

178. **Deputy Jack Wall** asked the Minister for Enterprise, Trade and Innovation the position regarding an application for a work permit in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6757/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): I propose to take Question Nos. 176 and 178 together.

My Department processes applications in respect of the different types of employment permits (Green Cards Permits, Work Permits, Spousal/Dependant Permits and Intra-company Transfer Permits). All applications are processed in line with the Employment Permits Act 2006.

I wish to advise the Deputy that this particular application was refused on the 20th January 2011 on the grounds that it is current Government policy to issue new employment permits only in respect of:

- highly skilled, highly paid positions or;
- non-EEA nationals who are already legally resident in the State on valid employment permits or;
- where there is an officially recognized scarcity of workers of a particular type or qualification. A list of the ineligible job categories for employment permits is available at my Department's website at www.deti.ie .

The job category described as work rider is currently not eligible for the granting of new employment permits and new permits are normally only considered where a starting salary of €30,000 is on offer. Having examined the appeal, the Appeals Officer upheld the original decision in this case on the 1st April 2011 and the fees are in the process of being refunded to the applicant. In these circumstances, therefore, I regret that it is not possible to re-visit this application.

Departmental Agencies

177. **Deputy Seán Kenny** asked the Minister for Enterprise, Trade and Innovation the number of staff and the grades in each Enterprise Ireland and Industrial Development Agency offices located outside Ireland [6744/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The numbers of staff and grades involved in each Enterprise Ireland and IDA Ireland office located outside Ireland are set out in the tables accompanying this reply.

Enterprise Ireland

Location of Office	Number of Staff	Grades
Amsterdam	3	1 Market Advisor 1 Marketing Executive 1 Manager — Benelux Hub
Brussels	6	1 Executive Assistant 3 Market Advisors 1 Marketing Executive 1 Liaison Officer
Paris	9	2 Executive Assistants 3 Market Advisors 1 Senior Market Advisor 2 Marketing Executives 1 Manager
London	16	2 Executive Assistants 1 Assistant Market Advisor 4 Marketing Executives 2 Market Advisors 4 Senior Market Advisors 2 Managers 1 Territory Director — Western Europe
Glasgow	1	Manager
Dusseldorf	17	5 Executive Assistants 2 Assistant Market Advisors 3 Marketing Executives 2 Market Advisors 4 Senior Market Advisors 1 Hub Manager
Stockholm	5	1 Executive Assistant 1 Marketing Executive 2 Market Advisors 1 Manager
Budapest	1	Executive Assistant
Moscow	3	1 Executive Assistant 1 Marketing Executive 1 Market Adviser
Prague	4	1 Executive Assistant 1 Market Advisor 1 Manager 1 Territory Director — Central Eastern Europe, Nordic States & Russia
Warsaw	7	1 Executive Assistant 4 Market Advisors 1 Senior Market Advisor 1 Manager
Madrid	6	1 Executive Assistant 2 Marketing Executives 1 Market Advisor 1 Manager 1 Territory Director — Southern Europe, Middle East & Africa and Latin America
Milan	5	2 Executive Assistants 1 Marketing Executive 1 Senior Market Advisor 1 Manager

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Location of Office	Number of Staff	Grades
Dubai	5	1 Executive Assistant 1 Marketing Executive 1 Market Advisor 1 Senior Market Advisor 1 Manager
Riyadh	2	1 Market Advisor 1 Senior Market Advisor
Sao Paolo Brazil	1	Manager
Shanghai	3	1 Marketing Executive 1 Manager 1 Territory Director — Asia
Beijing	5	1 Marketing Executive 1 Office Administration Manager 2 Market Advisors 1 Hub Manager
Guangzhou	1	Manager
Hong Kong	2	1 Executive Assistant 1 Manager
Seoul	1	Manager
Kuala Lumpur	3	1 Executive Assistant 1 Marketing Executive 1 Manager
Singapore	1	Manager
Sydney	4	1 Marketing Executive 2 Market Advisors 1 Manager
Tokyo	6	2 Executive Assistants 1 Marketing Executive 2 Market Advisors 1 Manager
New Delhi	2	1 Market Advisor 1 Manager
Boston	3	1 Assistant Market Advisor 2 Senior Market Advisors
New York	12	2 Executive Assistants 1 Assistant Market Advisor 3 Marketing Executives 1 Market Advisor 3 Senior Market Advisors 1 Manager 1 Territory Director — Americas
Mountain View (USA)	4	2 Marketing Executives 2 Senior Market Advisors
Toronto	4	1 Assistant Market Advisor 2 Marketing Executives 1 Manager

IDA Ireland

Location of Office	Number of Staff	Grades
London	4	1 Office Manager 2 Sales & Marketing Executives 1 Support
Frankfurt	4	1 Manager 2 Sales & Marketing Executives 1 Support

Location of Office	Number of Staff	Grades
Paris	3	1 European Director 1 Sales & Marketing Executive 1 Support
New York	9	1 Director North America 6 Sales & Marketing Executives 1 Support 1 Graduate
Boston	2	2 Sales & Marketing Executives
Mountain View (USA)	5	1 Manager 3 Sales & Marketing Executives 1 Support
Irvine (USA)	2	2 Sales & Marketing Executives
Atlanta	2	2 Sales & Marketing Executives
Chicago	4	1 Manager 2 Sales & Marketing Executives 1 Support
Moscow	1	Consultant (Part time)
Sao Paolo	1	Consultant (Part time)
Sydney	1	Consultant (Part time)
Taiwan	1	Senior Project Officer
Tokyo	3	1 Manager 1 Sales & Marketing Executive 1 Support
Singapore	1	1 Sales & Marketing Executive
Shanghai	3	1 Director — Asia Pacific 1 Sales & Marketing Executive 1 Support
Shenzhen	1	1 Sales & Marketing Executive
India(Mumbai)	5	1 Manager 3 Sales & Marketing Executives 1 Support

Question No. 178 answered with Question No. 176.

Departmental Agencies

179. **Deputy Olivia Mitchell** asked the Minister for Enterprise, Trade and Innovation the number of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems; and the reason such a function could not be provided by his Department [6799/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): My Department operates payroll for all Departmental staff and staff of the following Offices and Agencies of my Department: · Labour Court · Employment Appeals Tribunal · Patents Office · Companies Registration Office · Registrar of Friendly Societies · Office of the Director of Corporate Enforcement · National Employment Rights Authority · Labour Relations Commission · National Consumer Agency · Competition Authority · Irish Auditing and Accounting Supervisory Authority

In addition, fees payable to members of the Employment Appeals Tribunal and to Rights Commissioners are also processed by my Department's payroll. In total there are in excess of 1,200 people paid regularly on the payroll.

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The other agencies under the remit of my Department are responsible for payrolls with a total of in excess of 3,200 individuals, including pensioners. While there is some sharing of payroll services at present, the issue of greater sharing of both payroll and other services across my Department, its offices and agencies is currently being explored in the context of achieving both administrative savings and bringing about improvements in the delivery of those services, in line with the Croke Park Agreement.

Community Employment Schemes

180. **Deputy Finian McGrath** asked the Minister for Social Protection the position regarding a community employment scheme in respect of a person (details supplied) in Dublin 5. [6403/11]

Minister for Social Protection (Deputy Joan Burton): As Minister for Social Protection I do not have a role in the administration of individual cases in regard to the operation of the Community Employment programme. The administration of individual cases under Community Employment is a day-to-day matter for FÁS as part of its responsibility under the Labour Services Act 1987 as amended by Part 3 of the Social Welfare (Miscellaneous Provisions) Act 2010.

Redundancy Payments

181. **Deputy John Deasy** asked the Minister for Social Protection the reason for the delay in payment of statutory redundancy in respect of a person (details supplied) in County Waterford; when payment will issue; and if she will make a statement on the matter. [6425/11]

Minister for Social Protection (Deputy Joan Burton): On 1 January 2011, the Department assumed responsibility for making redundancy payments from the Social Insurance Fund. The processing of such payments was previously the responsibility of the Department of Enterprise, Trade and Innovation.. I can confirm that a statutory redundancy lump sum claim in respect of the individual concerned was received on 17 November, 2011. This claim is awaiting processing, taking account of the high number of claims on hand it is expected that this claim will be processed shortly.

Social Welfare Benefits

182. **Deputy Finian McGrath** asked the Minister for Social Protection if further assistance is available to a person (details supplied) [6498/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that there is no record of an application for rent supplement from the person concerned. If the person concerned wishes to make an application for rent supplement he should contact the local Community Welfare Officer.

183. **Deputy Michael Creed** asked the Minister for Social Protection when a person (details supplied) in County Cork will receive a decision on their application for rent allowance; and if she will make a statement on the matter. [6533/11]

Minister for Social Protection (Deputy Joan Burton): A person returning to full-time employment does not qualify for rent supplement unless they have been assessed by the local authority as being eligible for accommodation under the rental accommodation scheme. The Health Service Executive has advised that the person concerned is awaiting such an assessment

from the local authority. When this assessment has been completed their entitlement to rent supplement can then be decided.

Social Welfare Appeals

184. **Deputy John Lyons** asked the Minister for Social Protection when a determination will issue regarding an appeal in respect of a person (details supplied) in Dublin 11 regarding an application for domiciliary care; and if she will make a statement on the matter. [6634/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case. The person concerned will be informed when arrangements have been made.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

185. **Deputy Michael Creed** asked the Minister for Social Protection when a person (details supplied) in County Cork will receive a decision on their application for rent allowance; and if she will make a statement on the matter. [6678/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that they have received an application for rent supplement from the person concerned but that no decision has been made on her application to date. The Health Service Executive further advised that they will contact the person concerned directly when a decision has been made on her application.

Redundancy Payments

186. **Deputy Jim Daly** asked the Minister for Social Protection the reason an RP 50 claim (details supplied) submitted to his Department on 13 September 2010 has not been paid; and if she will make a statement on the matter. [6712/11]

Minister for Social Protection (Deputy Joan Burton): On 1 January 2011, the Department assumed responsibility for making redundancy payments from the Social Insurance Fund. The processing of such payments was previously the responsibility of the Department of Enterprise, Trade and Innovation. I can confirm that eighteen statutory redundancy lump sum claims in respect of the company concerned were received in September last year. While I regret the delay in processing the claims, which is due to the high level of claims on hand, I can confirm that these claims will be processed during April.

187. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when redundancy payment will issue to a person (details supplied) in County Galway; and if she will make a statement on the matter. [6759/11]

Minister for Social Protection (Deputy Joan Burton): On 1 January 2011, the Department assumed responsibility for making redundancy payments from the Social Insurance Fund. The Department has no record of receiving a statutory redundancy lump sum claim in respect of the individual concerned.

Pension Provisions

188. **Deputy Maureen O’Sullivan** asked the Minister for Social Protection if there has been any examination by the Regulator or other relevant authority into the situation in Irish Life pensions department [6826/11]

Minister for Social Protection (Deputy Joan Burton): The Pensions Board is a statutory body set up under the Pensions Act, 1990.

The Board regulates:

- occupational pension schemes,
- trust RACs,
- Personal Retirement Savings Accounts in Ireland.

This is done as part of the statutory role to monitor and supervise the operation of the Pensions Act. The Board also protects the interests of pension scheme members and encourages pension provision. The Board provides advice to the Minister for Social Protection on pension matters generally.

In order to ensure that its regulatory practices are efficient and that activities are directed to the most important and effective means the Board adopts a supervisory approach based on a hierarchy of risk priorities as follows:

1. scheme or PRSA assets or contributions being misappropriated
2. benefit entitlements being calculated incorrectly
3. defined benefit schemes being funded inadequately
4. non compliant investment of pension assets
5. insufficient information provided to members.

The Regulation team engages with regulated entities and their administration providers in order to assess levels of compliance based on the above priorities.

From 1 November 2008, the trustees of every scheme (including large trust RAC schemes) must appoint a registered administrator to provide various services to the scheme known as ‘core administration functions’.

The Pensions Board has supervision of pension administration requirements under the Pensions Act and reports that Irish Life currently meets its obligations as a registered administrator.

Where members of a pension scheme have any concerns about their pension rights they should in the first instance raise the matter with the trustees of their pension scheme. If they are not satisfied with the outcome they should raise the matter with the Pensions Board.

Social Welfare Benefits

189. **Deputy Pat Breen** asked the Minister for Social Protection the position regarding an application for domiciliary care allowance in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [6350/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received on the 16th February 2011. This application has been forwarded

to one of the Department's Medical Assessors for their medical opinion on the case. Upon receipt of this opinion a decision will issue to the customer.

190. **Deputy Willie O'Dea** asked the Minister for Social Protection if her attention has been drawn to the disquiet in various parts of the country regarding the operation of the rent allowance scheme; if her further attention has been drawn to the fact that the Health Service Executive has been widely criticised for its failure to police this scheme effectively; if she is aware that the HSE has granted rent allowance payments to landlords who have failed to register with the Private Residential Tenancies Board; her plans to change rent allowance scheme to ensure that it will be more transparent and effectively policed; and if she will make a statement on the matter. [6359/11]

Minister for Social Protection (Deputy Joan Burton): Under the Residential Tenancies Act 2004, landlords are legally obliged to register tenancies with the Private Residential Tenancies Board (PRTB). The Department is working closely with the PRTB to ensure that all tenancies where rent supplement is in payment are registered with the PRTB. To that end, the Department provides details of new rent supplement payments to the PRTB to enable them identify tenancies that are not registered and to take any follow-up action necessary.

Landlords are legally obliged to register tenancies with the PRTB within one month from the start date of the tenancy or at a later date on payment of an increased fee. For this reason, it is not practicable for the Department to insist that a tenancy be registered with the PRTB before payment of rent supplement can be made. There are also instances where a rent supplement tenancy need not be registered with the PRTB, for example, in the case of renting a room in a house or where a premises is owner occupied. Rent supplement tenancies which are liable for registration with the PRTB, should be so registered. In that regard, the close working arrangements which the Department has with the PRTB should ensure that over time, all tenancies that come within the area of rent supplement comply with the statutory system of tenancy regulation and safeguards.

Social Welfare Appeals

191. **Deputy Gerald Nash** asked the Minister for Social Protection the reasons for the delay in processing an appeal for an application for illness benefit in respect of a person (details supplied) in County Louth; if she will approve the benefit payment to the person concerned; and if she will make a statement on the matter. [6385/11]

Minister for Social Protection (Deputy Joan Burton): Payment of illness benefit, to the person concerned, was disallowed by a Deciding Officer following an examination by a Medical Assessor of the Department who expressed the opinion that he was capable of work. An appeal was opened and in the context of that appeal, his case was reviewed by a second Medical Assessor who also expressed the opinion that he was capable of work.

I am informed by the Social Welfare Appeals Office that, in the light of this second medical opinion, that office decided to afford him an opportunity of setting out the complete and up to date grounds of his appeal. On receipt of his response the relevant departmental papers will be requested from the Department and the appeal will then be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister of Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Pension Provisions

192. **Deputy Seamus Kirk** asked the Minister for Social Protection if she will review the regulation of private pension so that those in financial difficulty can access their pension funds before retirement; and if she will make a statement on the matter. [6395/11]

Minister for Social Protection (Deputy Joan Burton): The overall objective of the pension system is to ensure that people have an adequate income in retirement. At present only 50% of workers have a private pension, with low levels of coverage among moderate to middle incomes a particular concern. In addition, it is also evident that many of those in pension schemes are not contributing at a level which will secure an adequate pension in retirement. While the State pension is expected to provide sufficient retirement income for the lowest paid workers, most people will have a significant income gap if they do not make some provision for a private pension. The issue around the adequacy, coverage and sustainability of pension provision are being addressed through a range of measures outlined in the National Pensions Framework which was published in March 2010.

The aim of the framework is to deliver security, equity, choice and clarity for the individual, the employer and the state. It also aims to increase pension coverage, particularly among low to middle income groups and to ensure that State support for pensions is equitable and sustainable.

The Government is aware of the suggestions that persons in financial difficulty should have access to pension funds. There is however no proposal, at present, to provide such access.

Social Welfare Appeals

193. **Deputy John McGuinness** asked the Minister for Social Protection if she will review the case of a person (details supplied) in County Kilkenny regarding their application for rent allowance and if she will expedite a response [6423/11]

Minister for Social Protection (Deputy Joan Burton): As advised in reply to question number 66 on the 26th January 2011 the person concerned was refused rent supplement by the Health Service Executive as it was satisfied that he was not legally resident in the State. The HSE has advised that, according to the information currently available, it has no record of an appeal from the person concerned. However, I will request the HSE Appeals Office to accept the Deputy's question as an appeal for the person concerned against the decision to refuse rent supplement.

Departmental Correspondence

194. **Deputy Ciarán Lynch** asked the Minister for Social Protection if the response previously promised (details supplied) is now available; and if she will make a statement on the matter. [6446/11]

Minister for Social Protection (Deputy Joan Burton): The Department's records show that a reply to the Deputy's representations issued on 22 February 2011. The Department will issue a copy of the reply to the Deputy.

Social Welfare Code

195. **Deputy Joe McHugh** asked the Minister for Social Protection if she plans changing the Social Welfare Consolidation Act 2005, as amended by section 30 of the Social Welfare and Pensions Act 2007 and Section 15 of the Social Welfare (No. 2) Act 2009; and if she will make a statement on the matter. [6470/11]

Minister for Social Protection (Deputy Joan Burton): The requirement to be habitually resident in Ireland was introduced as a qualifying condition for certain social assistance schemes and child benefit with effect from 1st May 2004. The purpose of the habitual residence condition is to safeguard the social welfare system from abuse by restricting access for people who are not economically active and who have little or no established connection with Ireland. A person who does not satisfy the habitual residence condition is not eligible for specified social welfare payments, regardless of citizenship, nationality, immigration status or any other factor. The social welfare schemes concerned are jobseeker's allowance, one parent family payment, disability allowance, carer's allowance, widow/er's (non contributory) pension, guardian's payment (non contributory), State pension (non-contributory), blind pension, supplementary welfare allowance (except urgent or exceptional needs payments), domiciliary care allowance and child benefit.

I have no plans at present to amend the legislative provisions regarding the habitual residence condition. However, the legislation is kept under review by my Department.

Social Welfare Benefits

196. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the social welfare schemes which may now only be paid to a bank account; the reason persons have been told they can no longer claim through the post office and the person will be liable for bank charges associated with the setting up of an account for this purpose. [6482/11]

197. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she will provide a guarantee that persons will not have their social welfare payments suspended or cut off as a result of a failure to open a bank account. [6485/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 196 and 197 together.

There are no schemes where payment may only be paid to a customer's bank account and payment through the Post Office has not been discontinued for any customer group previously paid through the Post Office. The Department is committed to providing a high quality service to our customers. We offer a range of payment options to customers including electronic fund transfer (EFT) to the customer's bank account, building society account or certain credit unions that have been authorised by the banking and credit union regulators. Electronic information transfer (EIT) to the post office network or cheque payments are also provided.

However, there are some instances whereby the Department may limit the choice of payment method. This is determined by reference to the scheme payment which the customer is in receipt of, the payment options available under that scheme and by reference to control and risk considerations for example where it is a condition of scheme that a claimant be resident in the State.

My Department supports government policy which aims to facilitate the greater use of electronic payment systems in the economy in the interests of developing a modern payments environment in Ireland. We will continue to develop strategies and solutions that avail of opportunities provided by developments in ICT and the Financial Services sector to improve existing services, to maximise efficiencies in payment instruments available and to support financial inclusion.

We continuously review our payment methods to ensure that customers are provided with a quality service that delivers the correct payment, by the due date, using the most cost effective method of payment that ensures value for money for our customers and the taxpayer.

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Payments are not suspended or cut off where a customer does not have a bank account. If the Deputy is aware of a person who is concerned about their payment perhaps he could provide me with the details and I will have the matter examined.

198. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason bank holidays are deducted from the jobseeker's benefit payments to claimants who are partially employed [6489/11]

Minister for Social Protection (Deputy Joan Burton): Part-time or casual workers are not entitled to a jobseeker's payment in respect of public holidays to which they have an entitlement to pay from their employer. The purpose of this is to ensure that customers do not receive payment from their employer and from this Department in respect of the same day. Such days may, however, be treated as a day of unemployment for the purposes of satisfying the '3 in 6' rule, i.e., that a customer must be unemployed for at least three days out of six, to receive jobseeker's payment.

Employment Support Services

199. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the progress made towards developing a comprehensive employment strategy; the likely publication date and the steps being taken to ensure the employment situation of persons with mental health problems is adequately addressed in the strategy. [6500/11]

Minister for Social Protection (Deputy Joan Burton): Issues relating to employment are the responsibility of my colleague the Minister for Enterprise, Trade and Innovation in the first instance. It may be noted that, under the Disability Act 2005, the sectoral plan of the Minister for Enterprise, Trade and Innovation includes proposals for a comprehensive employment strategy for persons with disabilities.

Social Welfare Benefits

200. **Deputy Ray Butler** asked the Minister for Social Protection if a review of the mortgage interest supplement amount being paid to a person (details supplied) will be reviewed; and if she will make a statement on the matter. [6558/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that the person concerned had his claim reviewed in January 2011 and is currently in receipt of his full entitlement to mortgage interest supplement.

Social Welfare Appeals

201. **Deputy John Lyons** asked the Minister for Social Protection his plans to address the issue of delays with appeals and oral hearings for applications for domiciliary care; and if she will make a statement on the matter. [6633/11]

Minister for Social Protection (Deputy Joan Burton): I am informed by the Social Welfare Appeals Office that the average waiting time for a domiciliary care appeal dealt with by way of a summary decision in 2010 was 26.8 weeks, while the average time to process an oral hearing was 49.1 weeks. These processing times are calculated from the registration date of the appeal to the date of its finalisation. These include all activities during this period including time spent in the Department for comments by the deciding officer on the grounds of appeal put forward by the appellant and any further investigation, examination or assessment by the Department's

inspectors and medical assessors, that is deemed necessary. As can be seen from the figures, a considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process. In order to be fair to all appellants, these appeals are dealt with in strict chronological order. There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 when the intake rose to 32,432. In the context of dealing with the considerable number of appeals now on hands, the Department has made a further 9 additional appointments to the office in recent weeks.

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.

National Carers Strategy

202. **Deputy Jerry Buttimer** asked the Minister for Social Protection when she will publish the national carers strategy. [6639/11]

Minister for Social Protection (Deputy Joan Burton): During 2008, an interdepartmental group, chaired by the Department of the Taoiseach, undertook work, to develop a National Carers' Strategy. The Departments of Finance, Enterprise, Trade and Employment, Health and Children, and Social and Family Affairs, as well as the Health Services Executive (HSE) and FÁS were represented on the group. The group met on six occasions during 2008 and the expertise of other Departments and Agencies was drawn on as particular issues were being considered. Discussions were also held with colleagues in Northern Ireland. A wide ranging consultation process was also undertaken which included a meeting with the social partners; two meetings with carer representative groups; and a public consultation process.

While each of the themes set out in the terms of reference was examined in terms of the current position, because of the prevailing economic situation, it was not possible to agree future targets or time limits which could be achieved. In that context, rather than publishing a document which did not include any significant plans for the future, the then Government decided not to publish a strategy.

The Government is committed in the Programme for Government to developing a carers' strategy. It will consider how to progress the development of the strategy, taking into account the prevailing economic realities.

Grant Payments

203. **Deputy Terence Flanagan** asked the Minister for Social Protection if she will match the grant aid provided to a company (details supplied) in 2010 and not to cut its grant; and if she will make a statement on the matter. [6668/11]

Minister for Social Protection (Deputy Joan Burton): This company has a contract with the community services programme to provide security related services on Dublin's Northside. The company has sought additional operational support from the programme to maintain its current operations. The matter is being considered by the Department in addition to a number of similar requests from service providers supported by the programme. The Deputy will appreciate that the pressure on the public finances has significantly impacted on the resources available to this and similar programmes. The priority with respect to the programme has been to protect the jobs of some 2,700 people employed by the 450 or so community-based service providers approved for support. In order to do this, it was necessary to reduce the level of non-wage

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funding made available to service providers, as well as cutting technical assistance and administrative costs.

The Deputy should note that the programme is not designed to cover the full operating costs of supported service providers. A key requirement of the programme is that each service provider must develop non-public forms of income generation by way of charging fees, trading or fund-raising.

Social Welfare Benefits

204. **Deputy Jack Wall** asked the Minister for Social Protection if a person (details supplied) in County Kildare has made an application for rent supplement; and if she will make a statement on the matter. [6687/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that there is no record of an application for rent supplement from the person concerned. If the person concerned wishes to make an application for rent supplement she should contact the Community Welfare Service.

Departmental Programmes

205. **Deputy Seamus Kirk** asked the Minister for Social Protection her plans to commence Tús, the community work placement programme; and if she will make a statement on the matter. [6698/11]

Minister for Social Protection (Deputy Joan Burton): The Minister for Finance announced a community work placement initiative for up to 5,000 persons who have been on the Live Register for over a year in his Budget statements to the Dáil on the 7th December 2010. This initiative, to be known as Tús, was launched by my predecessor on the 21st December 2010. The aims of Tús are to provide short-term, quality work opportunities for those who are unemployed for more than a year. Tús will be delivered at local level by each of the 53 local development companies and by Údarás na Gaeltachta. Participants on Tús will be randomly selected by my Department and referred to one of the local development companies.

The Department has in recent days concluded agreements with the local development companies for the local delivery and roll-out of Tús. Promotion of Tús to potential work placement providers has been underway for some weeks as part of a process of identifying suitable work placements by the local development companies within community, voluntary and not-for-profit organisations in their operational areas. Each local development company has been authorised to commence recruitment of supervisory staff and to put in place local arrangements for accepting and assigning up to 40 work placement participants in each local development company.

Social Welfare Appeals

206. **Deputy Brendan Griffin** asked the Minister for Social Protection when a decision will issue on an appeal for carer's allowance in respect of a person (details supplied) in County Kerry; and if she will make a statement on the matter. [6704/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 2 February 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers

and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

207. **Deputy Jim Daly** asked the Minister for Social Protection the reason rent allowance is not paid directly to landlords; and if she will make a statement on the matter. [6716/11]

Minister for Social Protection (Deputy Joan Burton): The purpose of rent supplement is to provide short-term support to eligible people living in private rented accommodation, whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source. The scheme is intended as a temporary income support payment and is not designed to be a medium to long term housing support or a permanent solution to a person's housing needs.

Current legislation already provides for the making of a rent supplement payment to another person (e.g. a relative, a landlord or landlord's agent) on behalf of the recipient, at the tenant's request and is subject to the consent of the Community Welfare Service. Approximately 20% of rent supplement payments are currently paid to a person other than the tenant. Community Welfare Officer's were recently reminded that the guidelines already allow for the rent supplement to be paid directly to a person other than the tenant including the landlord.

Under the legislative provisions governing rent supplement, the Department's relationship is with the tenant; the tenant makes the application for rent supplement and payment is made to the tenant. Rent supplement is specifically for the benefit of tenants to assist them with their accommodation needs.

Under the current arrangements, even with direct payment, landlords still have to collect the tenant contribution towards their rent (a minimum of €104 per month). The amount of rent supplement payable depends on the tenant's income; in some cases tenants pay only the minimum contribution while for others the tenant makes an additional contribution to their rent based on their financial circumstances. For example, where a person is in part-time income and receives just 10% of his or her rent directly from the State, the landlord would receive the 10% directly whilst still having to collect the 90% from the tenant.

The efficiency of the scheme would be significantly affected if this arrangement were to be changed, for example Community Welfare Officers (CWOs) would potentially have to create a formal relationship with some 97,000 additional clients, the landlords. This would involve greater complexity and significant resources to deal with a new set of third parties. In particular, it would also result in CWOs being drawn into disputes between landlords and tenants.

There may also be financial and control implications in cases where a tenant moves address and neither the landlord nor tenant informs the Department. Similarly, where a tenant is no longer eligible for rent supplement and the Department ceases paying the landlord, the Department may find itself involved in eviction proceedings.

Where a landlord has a grievance in relation to the non-payment of rent by a tenant, s/he may apply to the Private Residential Tenancies Board to have the dispute resolved through the board's dispute resolution process. It is also open to the landlord to bring to the attention of the CWO, any instance where a tenant is receiving rent supplement but is not paying their rent. Where a CWO becomes aware that a person receiving rent supplement is not using that

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supplement for the purpose for which it was intended, the matter is investigated and the payment can be suspended.

The current arrangements provide tenants with flexibility in terms of location, the freedom to move to a different location whilst allowing recipients time to seek alternative long-term housing solution provided by their local authority. The tailoring of additional payments, such as rent supplement, to meet the specific needs of individuals and making the payment direct to the tenant is regarded as an effective way of helping individuals realise their potential and take individual responsibility. To remove the right of the tenant to receive this payment by making it payable only to the landlord would require legislative amendment and I have no plans at present to make this change.

208. **Deputy Jack Wall** asked the Minister for Social Protection the position in regarding rent subsidy payments; if the guidelines facilitate a person who is homeless due to marital problems even in circumstances where the persons name is on the deeds of the family home that the person had to leave; if there are any circumstances in which a person in such a position can be facilitated under the guidelines; her plans to address this situation; and if she will make a statement on the matter. [6721/11]

209. **Deputy Jack Wall** asked the Minister for Social Protection if she will give a directive to community welfare officers that where a husband or wife who has to leave the family home due to irreconcilable matrimonial reasons and where the couple have a mortgage on the family home that the husband or wife can obtain a rent subsidy payment given that they are homeless and have no means of paying rent for an alternative apartment; and if she will make a statement on the matter. [6722/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 208 and 209 together.

In order to qualify for rent supplement a person must have been residing in private rented accommodation or accommodation for homeless persons or an institution (or any combination of these) for a period of 183 days within the preceding 12 months of the date of claim for rent supplement. A person may also qualify for rent supplement where an assessment of housing need has been carried out within the 12 months preceding the date of claim and the person is deemed by the relevant local authority to be eligible for and in need of social housing support.

In all other cases, a person who wishes to apply for rent supplement is referred, in the first instance, for an assessment of eligibility for social housing support by the local housing authority in the area where the claim to rent supplement is made (and the person intends to reside). When a person has been assessed as being eligible for and in need of social housing support, the person then becomes eligible for consideration for rent supplement.

210. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the reason rent supplement has been terminated in the case of a person (details supplied) in Dublin 15; and if she will make a statement on the matter. [6763/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that the person concerned was refused rent supplement as she failed to provide sufficient information to establish her entitlement to a payment.

Social Welfare Appeals

211. **Deputy Seán Ó Feargháil** asked the Minister for Social Protection if the appeal process

will be expedited in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6765/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case. The person concerned will be informed when arrangements have been made.

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 Programmes

212. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding the work placement programme (details supplied) and the internship development programme; and if she will make a statement on the matter. [6775/11]

Minister for Social Protection (Deputy Joan Burton): The Internship Development Programme aims to provide those who are at least three months unemployed with a 12 month work placement in a host organisation in the private or community and voluntary sectors, while simultaneously offering them the opportunity to avail of education/training that is accredited/aligned to the National Framework of Qualifications. 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. Whilst on the work placement element of the internship, interns will receive an ‘upskilling bonus’ in addition to their social welfare entitlements.

State support for an initial 5,000 internship places on the programme has been approved, however, the number of places on the programme is entirely dependant on the level of take up by participating organisations. A call for Expressions of Interest to organisations that may be interested in providing internship opportunities to the unemployed was issued by FÁS Employment Services recently. The purpose of this call is to assess the number of internship opportunities and the number of host organisations who wish to participate in the Internship Development Programme. To date over 150 organisations have expressed their interest in participating in the programme. It is expected that the programme will be operational in the near future.

The Work Placement Programme was established to provide an opportunity for people who are unemployed to take up voluntary, unpaid work experience placements within companies. The rationale for the Programme is to keep people as close to the labour market as possible during a time of job shortages and increased competition for jobs. In terms of outcomes from the programme, FÁS have indicative statistics which were gathered from a survey of 1,600 WPP participants in November 2010 who were either on a WPP Placement or had left the programme. Of the 1,600 surveyed, 628 people responded. Of the 628 that responded 133 respondents left early because: 25% of those who responded got a job with the WPP provider and 42% of respondents left their WPP Placement as they got another job elsewhere.

The Work Placement Programme provides up to 9 months work experience to unemployed individuals, including unemployed graduates. The programme is targeted at both graduates and non-graduates. For graduates the programme provides an opportunity for them to apply the skills learned in college in a work place setting, thus adding to their CV and making them more employable. For graduates and non-graduates alike, the programme also provides an opportunity to keep their skills up-to-date and to network so that they can hear about jobs

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that come up, and gain work experience in new sectors/areas of work. While the above statistics are for a small sample of those who have participated on the WPP, it does demonstrate that the programme does help unemployed people gain work experience and find employment.

Departmental Agencies

213. **Deputy Olivia Mitchell** asked the Minister for Social Protection the number of agencies, authorities and other bodies coming within the Department's remit that operate independent payroll systems and the reason such a function could not be provided by the Department. [6802/11]

Minister for Social Protection (Deputy Joan Burton): 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.

The Social Welfare Tribunal and the Pensions Ombudsman do not operate independent payroll systems. All payments are processed by the Accounts Branch of the Department of Social Protection. The Citizens Information Board (CIB) operates independent payroll software called Pascal Paymaster (2011 Release 1). There are 120 individuals on the CIB payroll (including pensioners). The Pensions Board is a statutory body comprising of 40 employees, a chairperson and sixteen ordinary members. Since inception, the Board has undertaken the role of operating an independent payroll system. The issue of shared services including payroll services is being examined as part of the transformation of public services.

Social Welfare Benefits

214. **Deputy Jack Wall** asked the Minister for Social Protection the reason in determining rent subsidy allowance that income received by the applicant determined by the receipt of maintenance grants for education purposes is taken into account; and if she will make a statement on the matter. [6815/11]

Minister for Social Protection (Deputy Joan Burton): People in full-time education are normally excluded from receipt of rent supplement under the supplementary welfare allowance scheme. However, people participating in approved courses under the back-to-education allowance scheme receive a standard weekly rate of payment equivalent to the maximum rate of their previous social welfare payment and may retain any secondary benefits, such as rent supplements, which had been in payment prior to the commencement of their education course. It is also open to them to make application for rent supplement in respect of private rented accommodation if they have not been previously getting a supplement. Any third level grant that is payable to a rent supplement recipient is disregarded in the means assessment for the scheme.

Redundancy Payments

215. **Deputy Brendan Smith** asked the Minister for Social Protection when a redundancy payment will issue in respect of a person (details supplied) in County Cavan. [6874/11]

Minister for Social Protection (Deputy Joan Burton): I am pleased to advise the Deputy that the claim in respect of the person concerned has been authorized and a payment will issue shortly.

Social Welfare Benefits

216. **Deputy Martin Heydon** asked the Minister for Social Protection the position regarding jobseeker's allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [6877/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the evidence disallowed the appeal of the person concerned. The person concerned has been notified of the decision. 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 Agencies

217. **Deputy Olivia Mitchell** asked the Minister for Tourism, Culture and Sport the number of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems; and the reason such a function could not be provided by his Department. [6804/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): Of the 9 associated arts/culture bodies of the Department in its current form, 5 operate their own payroll systems, 2 have outsourced the function to the Financial Shared Services Division of the Department of Justice and Equality, and 2 have outsourced the function to private sector third parties. In accordance with its Action Plan developed pursuant to the Croke Park Agreement, my Department will consider extending the shared services model to the agencies under its remit, subject to appropriate cost-benefit analysis. In this regard, my Department's payroll system is currently outsourced to the Financial Shared Services Division of the Department of Justice and Equality.

Aquaculture Licences

218. **Deputy Noel Grealish** asked the Minister for Communications, Energy and Natural Resources the position regarding oyster dredging licences in the Clarinbridge Dunbulken Bay which were issued for the year 2011. [6622/11]

219. **Deputy Noel Grealish** asked the Minister for Communications, Energy and Natural Resources the criteria put in place following the issuing of oyster dredging licences; if the number of licenses issued will be increased; if he will outline the regulation and forward a copy of the direction issued to Inland Fisheries Ireland on these licences; the person who has the final say on the cap of these fishing licences; and if he will make a statement on the matter. [6623/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 218 and 219 together.

The Deputy may be aware that oyster fishing licences are issued by Inland Fisheries Ireland in accordance with Section 278 of the Fisheries (Consolidation) Act 1959 (as amended). I understand that the Oyster fishery in Clarinbridge is located in a Special Area of Conservation (SAC No. 000268). Under the Habitats Directive (as transposed by the European Communities (Natural Habitats) Regulations 1997 (S.I. No. 94 of 1997)) it is necessary that, in advance of any activity taking place in the SAC, an appropriate assessment is undertaken to ensure that the fishery achieves the conservation objectives for protected species in the area. I am aware that the Marine Institute undertakes such assessment in respect of consents issued by the Mini-

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ster for Agriculture, Food and the Marine, and I understand that the Marine Institute will also take account of oyster licences in any assessment of SACs.

Given that an Appropriate Assessment of this SAC has not yet been undertaken and, in accordance with section 278 (5)(a) of the 1959 Act, Inland Fisheries Ireland has adopted an approach to the issue of licences that would not contribute to the intensification of the oyster fishery, until such time as the outcome of an Appropriate Assessment has been determined. The future licensing of the fishery will be informed by the results of the Appropriate Assessment and the appropriate consent of the Minister for Agriculture, Food and the Marine and in the context of the management of inshore fisheries generally.

Consequently, in accordance with the statute, Inland Fisheries Ireland are to ensure specifically that the maximum number of oyster fishing licences issued in 2011 shall not exceed the number issued in 2010 or the average number of oyster fishing licences issued for the last five years, whichever is the greater.

I have been informed by Inland Fisheries Ireland that the average number of licences issued over the past 5 years in the Galway Fishery District was 16, but in 2010 17 licences were issued. Consequently 17 licences have been issued for the current season.

I will arrange for a copy of the correspondence between my Department and Inland Fisheries Ireland in this matter to be forwarded to the Deputy for his information as requested.

Offshore Exploration

220. **Deputy Martin Ferris** asked the Minister for Communications, Energy and Natural Resources if he will ensure that the royalty regime imposed on oil and gas companies is extended to the Corrib gas project and that a wider review of the revenue and licensing terms for the Corrib field and for the sector in general is proceeded with immediately in line with his party's manifesto commitment; and if he will make a statement on the matter. [6368/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): There is no royalty regime in Ireland applying to petroleum production. In 1987, Ireland followed the lead of other countries such as the UK and Norway in moving away from a royalty based payments system to a tax based system. Under a tax based system the return to the State is linked directly to the profitability of the individual oil or gas field, as compared to a royalty system where payments would be linked to the actual volume of production, without taking account of differences in development cost or actual profitability.

The Corrib Gas field was discovered in 1996 under Frontier Exploration Licence 3/94 which was granted in March 1994. Profits from petroleum production arising from exploration licences granted prior to 2007 are taxed at a rate of 25% and this is the rate that applies in the case of profits from the Corrib Gas Field. As regard an early review of the fiscal licensing terms governing petroleum production, I refer the Deputy to Priority Questions Nos. 24 and 25 today.

221. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of licence holders who have declared shows of hydrocarbons in their reports to the petroleum affairs division of his Department; and the areas in which these hydrocarbons have been found. [6427/11]

222. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources in which areas the petroleum affairs division of his Department expects exploratory drilling to occur over the next year. [6428/11]

223. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources in view of the fact that a number of companies are in the later phases of their exploration licences, the number of licence holders the petroleum affairs division of his Department expects to apply for petroleum leases and the number of licence holders it expects to apply for lease undertakings. [6429/11]

224. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the position regarding the status of licences 2/05, 2/06 and 3/07. [6430/11]

225. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of lease undertakings that have been granted; the companies to which these lease undertakings have been granted and for which blocks. [6431/11]

226. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of applications for lease undertakings the petroleum affairs division is currently reviewing. [6432/11]

227. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of companies that have made declarations of commerciality to the petroleum affairs division and which licence holders have made these declarations. [6433/11]

228. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the potential value of these hydrocarbons. [6434/11]

229. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of applications for petroleum leases the petroleum affairs division of his Department is currently reviewing. [6435/11]

230. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of potential petroleum leases under review that are covered by the terms of the 1992 licensing arrangements. [6436/11]

231. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of potential petroleum leases that are covered by the terms of the 2007 licensing arrangements. [6437/11]

232. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the onshore areas that are covered by the 2010 granted onshore licensing options. [6438/11]

233. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources if companies have applied for onshore petroleum prospecting licences and if these licences have been granted. [6439/11]

234. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the number of applications the petroleum affairs division of his Department has received for the 2011 Atlantic margin licensing round. [6440/11]

235. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources based on data supplied from licence holding companies and from State

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sponsored studies, the number of barrels of oil equivalent, BBOE, the petroleum affairs division estimates to be offshore Ireland. [6441/11]

236. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources the estimate of barrels of oil equivalent offshore, the amount that is gas and the amount that is oil and the amount of these resources that are thought to be recoverable. [6442/11]

237. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources based on data supplied from licence holding companies and from State sponsored studies, the number of barrels of oil equivalent, BBOE, the petroleum affairs division of his Department estimate to be onshore Ireland. [6443/11]

238. **Deputy Richard Boyd Barrett** asked the Minister for Communications, Energy and Natural Resources of the estimate of barrels of oil equivalent onshore, the amount that is gas and the amount that is oil and the amount of these resources thought to be recoverable. [6444/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 221 to 238, inclusive, together.

Exploration for oil and gas in Ireland, in common with most other jurisdictions, is carried out under licence from the State. Petroleum exploration authorisations are issued under the Petroleum and Other Minerals Development Act 1960 and the operational framework is set out in the Licensing Terms for Offshore Oil and Gas Exploration, Development & Production 2007.

Recent assessments of yet-to-find potential based on a Petroleum Systems Analysis of the Rockall and Porcupine Basins indicate a total reserve potential in the order of 10 billion barrels of oil equivalent (oil and/or gas) for the offshore frontier basins west of Ireland. This divides roughly into 6.5 billion barrels of oil and 20 trillion cubic feet of gas. I must emphasise that these figures only represent ‘potential’ reserves, or the reserves that might be present based on geological criteria and regional comparisons, and that they have not been discovered. Actual reserve figures are likely to vary widely from these estimates and will not be known without a dramatic increase in the level of exploration activity. The Petroleum Systems Analysis of the Rockall and Porcupine Basins Offshore Ireland (Digital Atlas and accompanying GIS version) is a commercial report available to the industry at a cost of €25,000.

The primary purpose of the assessments was to highlight the existence of significant hydrocarbon potential in the Irish offshore in order to encourage increased activity by the exploration sector in areas receiving very little attention because of low perceived success rates, high exploration costs and long lead in times required to develop any discovery. There are no comparable assessments available for the reserve potential of remaining offshore and onshore basins as the geological complexity of those areas, where smaller sized discoveries can be expected, makes it much more difficult to generate meaningful estimates. Petroleum exploration investment is encouraged through the active promotion of Ireland’s petroleum potential and the holding of regular licensing rounds. The 2011 Atlantic Margin Licensing Round, which includes all of Ireland’s major Atlantic sedimentary basins with proven petroleum systems, is due to close on 31 May 2011. Based on experience to date, I expect that the majority of applications for the Round will be received on or immediately before the closing date for the competition.

There are seven standard exploration and fourteen frontier exploration licences active in the Irish offshore. Exploration activities under these licences are divided into a number of phases with each phase subject to the performance of an agreed work programme including detailed reporting and the release of exploration data and evaluation reports to my Department. When each phase of the licence is complete, the licensees must determine whether they want to proceed to the next phase or whether they wish to relinquish the acreage.

Where a prospect is identified and positively evaluated, an exploration well needs to be drilled before the presence of hydrocarbon resources could be determined. If an exploration well shows that hydrocarbons are present, additional work, which may include one or more appraisal wells, is required to estimate the quantities of recoverable hydrocarbons and to determine if the discovery is commercial. If a commercial discovery is made, the licensee must apply for a petroleum lease in order to proceed to the development and production stage. Where a discovery is made and the licensee is not in a position to declare the discovery commercial by the end of the licence period, but expects to be able to do so in the foreseeable future, the licensee may apply for a lease undertaking.

My Department is currently considering applications for two lease undertakings relating to exploration licences in the Celtic Sea, however at this stage it is not known whether these or any of the other nineteen active exploration licences will result in commercially extractable finds of hydrocarbons. There are no applications for petroleum leases before my Department at present. The Corrib Gas Field is the only discovery covered by a petroleum lease and not yet in production.

The potential value of any commercial petroleum discovery will depend on a combination of factors including, the volume of recoverable resources, the cost of developing and operating the infrastructure, the price of petroleum over the life of the field, together with the timing and profile of production.

Turning to the onshore area, there are currently no petroleum prospecting licences in place. Following a detailed evaluation of applications received last year for licensing options in the Northwest Carboniferous Basin and the Clare Basin, my Department has offered onshore petroleum licensing options to: Tamboran Resources PTY Ltd covering 986 sq km over parts of Cavan, Leitrim and Sligo; Lough Allen Natural Gas Company Ltd covering 467 sq km over parts Cavan, Leitrim, Roscommon and Sligo; and Enegi Oil Plc covering 495 sq km over part of Clare. Two of the companies have already accepted the licensing options on offer and applications for petroleum prospecting licences are expected from both companies shortly. Maps detailing the area covered by the onshore licensing options are available on my Department's website.

In relation to exploration drilling that might take place in the Irish offshore over the next twelve months, while my Department is aware that plans are being advanced for exploration\appraisal drilling, no application for approval has been received by my Department to date. I would expect that over the next few months greater certainty will emerge in relation to potential drilling.

In relation to the Deputy's query regarding the status of certain exploration licences, I can confirm that Frontier Exploration Licences 2/05 and 2/06 were relinquished with effect from 30 October 2010 and 31 August 2010 respectively. Standard Exploration 3/07 was relinquished with effect from 31 March 2010.

I am separately forwarding by post to the Deputy a table that details the eighteen significant hydrocarbon discoveries made on and offshore Ireland to date. The inclusion of that table in the body of this reply was not possible for technical reasons. The table includes details of

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petroleum authorisations currently in place along with details of the original discovery authorisation. Full details of petroleum authorisations are updated and published on my Department's website on a regular basis. I hope that the comprehensive information provided is of assistance to the Deputy.

Inland Fisheries

239. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources if he will consider relaxing the rules for draft net fishermen on a lough (details supplied); and if he will make a statement on the matter. [6467/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I am informed that in the case of bays and estuaries into which two or more rivers flow, the expert advice requires that all impacted rivers are meeting their conservation limits before harvest of salmon stocks is permitted.

At present, the published assessment in respect of the common estuary in Lough Swilly indicates that the rivers Mill, Swilly and Lennan are not meeting their conservation limits. The only river meeting its conservation limit is the Crana according to the Wild Salmon and Sea Trout Tagging Scheme Regulations 2011 (No. 323, 2010). Accordingly, for conservation reasons, the harvest of fish is not permissible in the area referred to by the Deputy. The status of the stocks of salmon rivers is reviewed annually.

Telecommunications Services

240. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources the level of broadband coverage available at a location (details supplied) in County Kerry; if this level of coverage meets the targets of the national broadband scheme; and if he will make a statement on the matter. [6573/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Prior to launching the National Broadband Scheme, my Department carried out a detailed mapping exercise to determine which areas would be included and which, by virtue of already being served by a commercial operator, were to be excluded. That exercise found that Scartaglin was already covered and hence was excluded from the Scheme.

My Department does not hold information on the level of broadband coverage available in particular regions or locations. However statistical reports on national developments in the fixed-line, mobile and broadband communications markets are available from ComReg, the telecommunications regulator.

Question No. 241 answered with Question No. 28.

Oil Reserves

242. **Deputy Pat Breen** asked the Minister for Communications, Energy and Natural Resources his plans to address the situation regarding the use of winter grade oil, in view of the experience during the recent freeze, when householders and businesses had problems with frozen diesel and oil tanks. [6669/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have no function in relation to this matter. My functions in respect of oil supply are set out in sections 34 and 35 of the National Oil Reserves Agency Act 2007, as amended, and the Fuels (Control of Supplies) Acts 1971 and 1982.

Sections 34 and 35 of the National Oil Reserves Agency Act 2007, as amended, requires the Minister for Communications, Energy and Natural Resources to determine the volume of strategic oil reserves to be held by the National Oil Reserves Agency and to direct the release of strategic oil reserves in the event of supply disruption.

The Fuels (Control of Supplies) Acts 1971 and 1982 provide that the Minister for Communications, Energy and Natural Resources may regulate the supply and distribution of fuels including crude oil and petroleum products in the event of an emergency.

Alternative Energy Projects

243. **Deputy Michael Creed** asked the Minister for Communications, Energy and Natural Resources the difference in regulations pertaining to the development of a domestic wind generation facility compared to those governing the development of commercial wind generation; and if he will make a statement on the matter. [6683/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Commission for Energy Regulation is responsible for the grant of authorisations to construct or reconstruct a generating station and licences to generate under sections 16 and 14, respectively, of the Electricity Regulation Act 1999.

Different authorisation and licensing procedures apply according to the size of the proposed generating station. Generating stations, including domestic wind generation, with an installed capacity of up to 1MW are deemed to be automatically authorised and licensed under the Orders.

There are revised and simplified application procedures for generators up to 40MW with a more detailed application procedure for projects greater than 40MW.

My colleague, the Minister for Environment, Heritage and Local Government has responsibility for the planning function.

The Department of Environment introduced two statutory instruments, S.I. 83 of 2007 and S.I. 235 of 2008, relating to planning exemptions for small scale renewable technologies that meet specified criteria. The regulations are aimed at streamlining small scale applications and provide for relevant exemptions to encourage the microgeneration sector. In the case of domestic scale wind, these exemptions are:

Summary of exemption rules set out in SI 83 of 2007 and SI 235 of 2008

Wind turbine in a domestic setting

- Turbine must not be attached to a building.
- One turbine per house and it can not be sited in front of the building.
- Total height must not exceed 13m.
- Rotor diameter must not exceed 6m.
- 3m minimum clearance between ground and lowest point of blades.
- Turbine mast must be the total maximum height of the assembly including turbine and blades plus one metre from the nearest party boundary.
- Noise levels must not exceed 43db(A) or 5 db(A) above background noise at the nearest inhabited neighbouring dwelling.

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- No advertising can be placed on the turbine and the turbine must be matt finished.
- The blades must not interfere with telecoms signals.

Wind turbine in an agricultural setting

- Turbine must not be attached to a building.
- One only turbine per site.
- Total height must not exceed 20m.
- Rotor diameter must not exceed 8m.
- 3m minimum clearance required between ground and lowest point of blades.
- Turbine mast must be one and a half times the total maximum height of the assembly (including turbine and blades) plus 1m from the nearest party boundary or nonelectrical overhead lines.
- Turbine mast must be the total maximum height of the assembly including turbine and blades plus 20m from the nearest 38kV electricity distribution line.
- Turbine mast must be the total maximum height of the assembly including turbine and blades plus 30m from the centre-line of the nearest transmission line i.e. 110kV plus.
- The turbine must not be within 100m of an existing turbine.
- Noise levels must not exceed 43db(A) at the nearest inhabited dwelling.
- No advertising can be placed on the turbine and the turbine must be matt finished.
- The blades must not interfere with telecoms signals.
- Consent must be sought from the Irish Aviation Authority if the turbine is to be within 5km of an airport.

In the case of commercial wind farm developments, the Department of Environment have published a number of Guidelines since 2006, which offer advice to planning authorities on planning for wind energy through the development plan process and in determining applications for planning permission. The guidelines are also intended to ensure a consistency of approach throughout the country in the identification of suitable locations for wind energy development and the treatment of planning applications for wind energy developments. The latest version of these guidelines is published on the Department of Environments website.

Large windfarm developments, those over 25 turbines or 50MW in capacity, are required to apply for planning permission under the Strategic Infrastructure Development Act.

Postal Services

244. **Deputy Jim Daly** asked the Minister for Communications, Energy and Natural Resources the reason a post office (details supplied) in County Cork has ceased to offer service to the locality; and if he will make a statement on the matter. [6715/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Matters relating to post office closures are an operational matter for the management and Board of An Post and one in which I have no statutory function.

Alternative Energy Projects

245. **Deputy Noel Harrington** asked the Minister for Communications, Energy and Natural Resources if as a part of the programme for Government he plans to introduce grants for householders to install domestic wind turbines that are under 5KW; the criteria that may be used in approving these turbines; and if he will make a statement on the matter. [6768/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Programme for Government commits to providing a cost-effective REFIT for micro-generators wishing to produce electricity for their own homes, farms and businesses and facilitate them to sell surplus electricity to the grid.

My Department is working with the Sustainable Energy Authority of Ireland to develop proposals for my consideration which strike the necessary balance between encouraging greater take-up of microgeneration while ensuring that the costs of such support do not unduly burden all electricity customers.

Departmental Agencies

246. **Deputy Olivia Mitchell** asked the Minister for Communications, Energy and Natural Resources the number of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems and the reason such a function could not be provided by his Department. [6795/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I can inform the Deputy that the number of Bodies under the aegis of my Department is 18 and are as follows:

- An Post
- Bord Gáis Éireann
- Bord na Móna
- Broadcasting Authority of Ireland
- Inland Fisheries Ireland
- Commission for Communications Regulation
- Commission for Energy Regulation
- Digital Hub Development Agency
- EirGrid
- Electricity Supply Board (ESB)
- Foyle, Carlingford and Irish Lights Commission (Loughs Agency)
- National Oil Reserves Agency
- Ordnance Survey Ireland

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- Raidió Teilifís Éireann
- Sustainable Energy Authority of Ireland
- Teilifís na Gaeilge

My Department is moving its payroll to a shared service provided by the Department of Finance from its offices in Tullamore. It is also engaging intensively with the agencies under its aegis to achieve cost savings and efficiencies. In that context all shared services possibilities are being explored.

Offshore Exploration

247. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 139 of 29 March 2011, if there are concerns (details supplied). [6928/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Corrib Gas field was discovered in 1996 under Frontier Exploration Licence 3/94 which was granted to Enterprise Oil plc and Santa Fe Minerals (Ireland) Limited on 15th March 1994. Profits from petroleum production arising from exploration licences granted prior to 2007 are taxed at a rate of 25% and this is the rate that applies in the case of profits from the Corrib Gas Field.

The former Minister for Energy, referred to by the Deputy, had no role in the award of Frontier Exploration Licence 3/94, or the granting of the Corrib Petroleum Lease. My general position on the taxation regime for oil and gas exploration is as set out in the reply of 29th March 2011 and replies which I am separately giving to Parliamentary Questions today.

Electricity Connections

248. **Deputy Finian McGrath** asked the Minister for Communications, Energy and Natural Resources if he will support the case of a group (details supplied). [6929/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Electricity connections are a day-to-day operational matter for ESB in which I have no function.

Housing Grants

249. **Deputy Pearse Doherty** asked the Minister for the Environment, Heritage and Local Government the assistance available to those on social welfare, not in receipt of council housing, to make repairs on their homes; and if he will make a statement on the matter. [6624/11]

265. **Deputy Pearse Doherty** asked the Minister for the Environment, Heritage and Local Government the assistance available from councils to those on social welfare, not in receipt of council housing, to make repairs on their homes; and if he will make a statement on the matter. [6625/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): I propose to take Questions Nos. 249 and 265 together.

In order to facilitate the continued independent occupancy of their own homes by older people and people with a disability, and following a review of the old Disabled Persons, Essential Repairs Grant Schemes and Special Housing Aid for the Elderly scheme, which was admin-

istered by the HSE, a revised suite of Housing Adaptation Grant Schemes was implemented on 1 November 2007.

Three separate schemes are available:

Housing Adaptation Grant for People with a Disability:

This grant assists 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. Eligible works include the provision of access ramps, stair lifts, accessible toilet and shower facilities, wheelchair access and extensions. The effective maximum grant under the scheme is €30,000, which may cover up to 95% of the approved cost of works for applicants, including those in full-time employment, who have gross household incomes of up to €30,000 per annum, tapering to 30% for those with incomes of €54,001 to €65,000.

Mobility Aids Grant Scheme:

This scheme is available to fast track grants of up to €6,000 to cover a basic suite of works to address the mobility problems of a member of a household. Qualifying works include the provision of stair lifts, level access showers, access ramps, grab rails and some minor adaptation works to the fabric of the house such as adaptation of downstairs room/closet to provide sanitary facilities etc. The effective maximum grant available is €6,000 and may cover 100% of the cost of works subject to a maximum annual household income threshold of €30,000.

Housing Aid for Older People Scheme:

This scheme provides grants of up to €10,500 to assist older people living in poor housing conditions to have necessary repairs or improvements carried out. Grant eligible works include structural repairs or improvements, re-wiring, repairs to or replacement of windows and doors, provision of water supply and sanitary facilities, provision of heating, cleaning, painting etc. Maximum grant available is €10,500 which may cover up to 100% of the costs of works for applicants with gross annual household incomes of less than €30,000, tapering to 30% for those with incomes of €54,001 to €65,000.

The Housing Adaptation Grant Schemes for Older People and People with a Disability are funded by 80% recoupment available from my Department together with a 20% contribution from the resources of the local authority. Exchequer allocations totalling almost €64m were notified to local authorities under the schemes on 17 February 2011, giving a combined allocation of almost €79.5m. The detailed administration of these schemes, including the assessment, approval and 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, is the responsibility of the relevant local authority.

The Scheme of Improvement Works in Lieu of local authority housing allows local authorities to improve or extend privately owned accommodation, which is occupied or intended to be occupied by an applicant approved for social housing, as an alternative to the provision of social housing. Funding is provided by way of a secured loan which is repaid by the applicant over a 15-year period. A beneficiary under the scheme will be required to make repayments to the local authority based on household income and their ability to pay.

Outside of these measures, there is no specific housing grant scheme currently available from my Department for persons in receipt of income support or other support services from the Department of Social Protection.

Departmental Schemes

250. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government if the hen harrier scheme has been suspended and if so if he will re-introduce same; and if he will make a statement on the matter. [6682/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): My Department's Farm Plan Scheme is currently closed to new applicants. Further access to the scheme will be subject to the availability of funding during 2011 and beyond. Any decision to invite new applications will be publicly announced. In such an event, applications to join the scheme will be assessed on the basis of conservation priorities, biodiversity added value and value for money.

Fire Service

251. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the recommendations that have been implemented to date from the Farrell Grant Sparks consulting Review of Fire Safety and Fire Services in Ireland; if he will provide an implementation plan for all recommendations or advise on his plans to undertake a new study of fire services in Ireland; and if he will make a statement on the matter. [6456/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): In 2002, the Report of the Review of Fire Safety and Fire Services in Ireland was published by my Department.

The principal recommendations included more focus on fire safety, including the introduction of community fire safety initiatives; the enhancement of fire safety legislation, the adoption of a risk-based approach to determining emergency cover as well as new approaches and structures for major emergency management. In addition, the Report called for continued capital investment to improve infrastructure and further development of safety, health and welfare arrangements.

A great deal has been accomplished in the past decade since publication of the Report and the key recommendations of the Report have been implemented.

Substantial financial resources were provided to local authorities over the last ten years, and have resulted in a quality fire and rescue infrastructure throughout the country. Most of our fire stations have full facilities, the appliance fleet is in very good shape and equipment is generally regarded as top class. Our emergency management arrangements, with the production of a new Framework for Major Emergency Management and the implementation of the Major Emergency Development Programme 2006-2008, are in line with international best practice, and were widely acknowledged to have been fundamental in ensuring effective response to the recent Cork Airport tragedy and during the severe weather emergencies in January and December 2010.

A range of other measures have been introduced in line with recommendations contained in the Review. Fire safety legislation was strengthened in 2003 as recommended in the report, with increased powers for fire prevention officers. A series of excellent initiatives has been developed under a community fire safety programme, including a domestic smoke alarm campaign, and a Primary Schools Programme.

The recommended Risk-based approach was developed through a procurement process and piloted in a number of counties. This is being made available now to other local authorities to ensure service managers have access to appropriate information to enable them to decide on the effective deployment and use of resources and to ensure that an appropriate balance

between prevention, protection and response measures is achieved. Health, safety and welfare initiatives have also been progressed, with the preparation of an Ancillary Fire Services Safety Statement, the development of a National Incident Command system and the preparation of a suite of Standard Operational Guidance for the fire services activities. There are comprehensive Occupational Health Systems in the retained fire services, and Critical Incident Stress Management services have been made available to staff in all fire authorities.

Finally, the establishment of the National Directorate for Fire and Emergency Management in 2009 addressed conclusively the main Farrell Grant Sparks recommendation on revised institutional arrangements at central Government level. The new structures confirm responsibility for local delivery of fire services, while strengthening the national oversight and leadership role appropriately. The National Directorate, which is located in my Department, has taken over the functions of the Fire Services Council, and is an approach in keeping with the desire to reduce new agencies, while providing appropriate political accountability. Given the progress which has been made, and that the current arrangements are working satisfactorily, I have no plans to conduct a new study of fire services in Ireland.

252. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the role he will play to ensure that a report (details supplied) and recommendations on Dublin fire brigade are implemented; and if he will make a statement on the matter. [6457/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): 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 and 2003. My Department supports the local fire authorities through setting of general policy, training support and issue of guidance on operational and other related matters, and the provision of capital funding.

An Organisational Review of Dublin Fire Brigade was commissioned by Dublin City Council, which provides fire services for the other Dublin local authorities as well as for the city, to provide a strategic overview of Dublin fire brigade services.

The report was prepared by Sir Ken Knight, Chief Fire and Rescue Advisor for England, and covers areas such as leadership, service delivery, management of community risk, staffing and management structures, resources and value for money.

A Development Board has been established by Dublin City, Council involving relevant stakeholders, to assist in the implementation of the Report's recommendations in relation to the fire and rescue services in the Dublin area. My Department's National Directorate for Fire and Emergency Management is represented on this Board, and provides guidance in relation to national policy on issues under consideration.

Departmental Funding

253. **Deputy Finian McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding funding (details supplied). [6469/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): No funding has been available from my Department for any groups for the purpose indicated in the question. The provision of funding by local authorities is a matter for the local authorities concerned.

Proposed Legislation

254. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the position regarding proposals for foreshore planning legislation, marine planning guidelines and coastal zone management; if he will provide a description of any such proposed legislation or guidelines; and if he will make a statement on the matter. [6480/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): The Programme for Government sets out a number of commitments relevant to the foreshores area *viz*:

- the need for efficient foreshore licensing and leasing for marine energy;
- the intention to incentivise and promote off-shore drilling and streamline the planning and regulatory process for bringing ashore these reserves, and
- the development of an integrated marine and coastal planning process in order to maximise the potential for Ireland's coastline in fishing, aquaculture, ocean energy and tourism.

Work has commenced in my Department on drafting the General Scheme of a Bill to give effect to these commitments. It is intended that the Bill would, *inter alia*, integrate the foreshore consent processes for major infrastructure projects within the strategic consent process operated by An Bord Pleanála while the foreshore consent process for non-strategic infrastructure projects would be integrated within the planning consent process operated by the local authorities.

My Department will also be working with other relevant Departments and agencies towards the development of a marine spatial planning framework over the medium term.

255. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government when he will enact legislation to transpose the Aarhus Convention into Irish law; and if he will make a statement on the matter. [6481/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The Programme for Government contains a commitment to complete ratification of the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters. Delivering on this commitment by addressing the remaining legislative requirements to allow ratification to proceed is a high priority for the Government.

The three pillars of the Convention are partially implemented in EU law by two Directives. The first of these deals with public access to environmental information and was transposed into Irish law through the European Communities (Access to Information on the Environment) Regulations 2007.

The second, known as the Public Participation Directive, deals with public participation in decision making and access to justice. Several pieces of legislation have been used to transpose the Public Participation Directive, including:

- Section 33 of the Planning and Development (Amendment) Act 2010;
- the European Communities (Public Participation) Regulations 2010;
- the Environmental Protection Agency (Amendment) Regulations 2010;
- the Waste Management (Licensing) (Amendment) Regulations 2010; and

- the Aquaculture (Licence Application) (Amendment) (No.2) Regulations 2010.

The effect of the measures taken to transpose these two Directives is that Ireland is largely compliant with the provisions of the Convention. The Office of the Attorney General has, however, advised that a number of further measures are still required before the ratification process can be completed.

The drafting of the necessary legislation is at an advanced stage and I hope to bring this before the Oireachtas as soon as possible.

Fuel Quality

256. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government if he will identify the organisation that examines the quality of fuel sold at publicly licensed service stations; and if he will make a statement on the matter. [6513/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): My Department has responsibility for fuel quality standards from the perspective of ensuring that petrol and diesel sold in the State meet prescribed environmental specifications to reduce the polluting effect that certain substances have on the environment when emitted to air as part of the fuel combustion process.

Directive 98/70/EC relating to the quality of petrol and diesel fuels is transposed in Ireland through the European Communities Act, 1972 (Environmental Specifications for Petrol, Diesel Fuels and Gas Oils for use by non-road mobile machinery, including inland waterway vessels, agricultural and forestry tractors, and recreational craft) Regulations 2011. As required by the Directive, Ireland reports annually to the European Commission the results of a sampling programme for both petrol and diesel, including any breaches of the environmental specifications of the fuel. Ireland's latest results were submitted to the Commission on 30 June, 2010 and indicated that fuel sold in the State during 2009 was predominantly compliant with the environmental specifications set out in Irish legislation. The Commission collates the data received from Member States and publishes annual reports, including a summary for each country, which are available to download from the Commission's website, <http://ec.europa.eu/environment/air/transport/fuel—quality—monitoring.htm>.

Sampling of the fuel is carried out by Officers of the Revenue Commissioners and the samples are analysed by the State Laboratory. In addition, the Irish Petroleum Industry Association contracts an independent laboratory to sample and analyse fuel and the results of that process are included in Ireland's report to the Commission. My Department does not have a role in regulating fuel standards from the perspective of the operational performance of the fuel.

Water and Sewerage Schemes

257. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government if he will provide funding for schemes (details supplied) in County Cork in 2011; and if he will make a statement on the matter. [6522/11]

266. **Deputy Michael McCarthy** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of funding for a sewage and drainage scheme for Bandon in west Cork following ongoing flooding problems in the area; and if he will make a statement on the matter. [6637/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 257 and 266 together.

The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Cork. The Programme includes contracts under construction and to commence to the value of some €231 million in the county during the period of the programme.

Contracts for both a wastewater treatment plant upgrade and network for the Bandon Sewerage Scheme Phase 2 are included as contracts to start over the life of the programme at an estimated total cost of €13 million.

In February 2011, Cork County Council submitted a Design Brief for the appointment of Consultants to prepare a Preliminary Report for the upgrade of the wastewater treatment plant. Following examination of this submission my Department has recently advised the Council of amendments required to the brief. It is now a matter for the Council to submit a revised brief to my Department.

My Department is also currently awaiting the submission by the Council of revised Contract Documents for the network element of the scheme. Certain flood relief infrastructure is included in the scope of work proposed. This work involves the provision of storm sewerage pipework and two storm relief pumping stations. Proposals for a flood relief scheme would be a matter for my colleague, Mr. Brian Hayes, T.D., Minister of State for the Office of Public Works and Public Service Reform.

Contracts for both a wastewater treatment plant (Design Build Operate) and network for Youghal Sewerage Scheme are also included among the contracts to start during the life of the 2010 — 2012 Water Services Investment Programme at an estimated total cost of €18 million. Cork County Council has submitted contract documents to my Department for both the wastewater treatment plant and network contracts and this documentation is currently under examination. A decision will be conveyed to the Council as soon as possible.

Building Regulations

258. **Deputy Dominic Hannigan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the situation that many home owners are facing with regard to pyrite being used in the construction of their homes; his plans to support home owners in this situation; and if he will make a statement on the matter. [6523/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I refer to the reply to Questions Nos. 62, 63 and 64 on 24 March 2011 which addressed comprehensively the concerns regarding the inappropriate use of pyritic material as hardcore filler in underground foundations in buildings.

Local Authority Staff

259. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government the number of staff employed at local government level at the end of 2008, 2009 and 2010; the way front line services are to be filled; if he will provide a definition of front line services; and if he will make a statement on the matter. [6594/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The numbers of permanent and temporary, whole time equivalent, staff employed in local authorities for 2008, 2009 and 2010 are set out in the table.

	Permanent	Temporary	Total
December 2008	31,843.93	3,163.6	35,007.53
December 2009	30,561.86	1,690.78	32,252.64
December 2010	29,563.16	1,378.88	30,942.04

Under section 159 of the Local Government Act 2001, each County and City Manager is responsible for the staffing and organisational arrangements, necessary for carrying out the functions and delivering the front line services of the local authority for which he or she is responsible.

My Department has a delegated sanction, from the Department of Finance, for implementation of the general moratorium on the filling of public sector posts in the local authority sector.

Under these arrangements local authorities must, where vacancies arise, consider all options for reorganisation and reallocation of work to meet requirements. Any exceptions to the moratorium require sanction from my Department. All staffing sanction requests are examined on a case by case basis having due regard to the continued delivery of services and the need to further reduce overall staffing levels in the local authority sector.

Local Authority Housing

260. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government the way he will deal with the housing waiting list; the extent of that list at the last assessment of needs; and if he will make a statement on the matter. [6595/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): I refer to the reply to Question No. 148 of 29 March, 2011. The Social Housing Assessment Regulations 2011 came into force on 1 April 2011.

Housing authorities are currently carrying out an assessment of need as at 31 March of this year. The results will be available later in the year. The last assessment took place in 2008 and produced a net need figure of 56,249 households.

Tax Yield

261. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government the amount of motor tax collected, including on line, by county in the years 2009 and 2010; and if he will make a statement on the matter. [6596/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The information requested is set out in the table. Gross Motor Tax Receipts by Licensing Authority 2009 and 2010

Licensing Authority	2009 Gross Motor Tax Receipts €	2010 Gross Motor Tax Receipts €
Carlow	10,934,896	10,083,670
Cavan	11,645,970	10,649,902
Clare	19,848,442	18,669,347
Cork	70,580,674	66,768,693
Donegal	27,349,899	25,979,094
Galway	37,495,688	34,801,297

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Licensing Authority	2009 Gross Motor Tax Receipts €	2010 Gross Motor Tax Receipts €
Kerry	22,545,569	20,222,833
Kildare	23,741,876	22,133,820
Kilkenny	15,203,721	14,192,540
Laois	12,072,177	11,352,302
Leitrim	5,476,294	5,203,306
Limerick County	21,463,391	20,421,126
Longford	7,067,227	6,472,094
Louth	17,075,182	15,678,609
Mayo	21,741,503	20,297,084
Meath	23,962,053	21,766,051
Monaghan	11,891,539	11,224,305
Offaly	11,705,768	10,827,842
Roscommon	11,543,618	10,788,815
Sligo	11,098,369	10,463,763
N.Tipperary	12,590,822	11,443,086
S.Tipperary	16,364,564	15,431,227
Waterford County	11,573,068	11,011,124
Westmeath	14,896,166	13,922,139
Wexford	23,953,921	22,317,211
Wicklow	19,611,844	18,197,952
Dublin City	120,656,664	112,129,772
Limerick City	7,798,425	7,061,233
Waterford City	6,950,649	6,147,867,
On-line	428,982,755	438,165,831
Totals	1,057,822,734	1,023,823,935

Harbours and Piers

262. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding funding for the Cork harbour main drainage scheme; and if he will make a statement on the matter. [6598/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010 — 2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Cork. The Cork Lower Harbour Sewerage Scheme is included in the Programme as a scheme to advance through planning during the life of the programme.

My Department has approved a planning phase budget of just over €12.6m for this scheme and to date has recouped in excess of €5.7m to Cork County Council in respect of the planning phase costs incurred, the bulk of this being related to land acquisition and wayleaves.

In January 2011, the Council submitted an Addendum to the Preliminary Report for the scheme to my Department. This submission is currently being examined and my Department will shortly respond to the Council in the matter.

Local Authority Staff

263. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local

Government his plans to implement the recommendation of the report of the Independent Local Government Efficiency Review Group to reduce payroll costs in local government, including the reduction in the number of county and city managers by 30%, directors of service by at least 20%, senior and middle managers by 15%, and staff working in corporate services, planning and roads; and if he will make a statement on the matter. [6599/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The findings and recommendations of the Report of the independent Local Government Efficiency Review Group are for consideration by the Government in the appropriate policy and financial contexts.

A Group, chaired by Mr. Pat McLoughlin (who also chaired the Efficiency Review Group), is carrying out a review of the staffing complement and number of senior managers in Dublin City Council. The Dublin Review Group has been asked to report in mid 2011 with their recommendations on the actions to be taken to reduce the staffing complement. Similar arrangements will be put in place in respect of Cork City Council.

As recommended in the Report, I am establishing an implementation group with an independent chairperson to oversee implementation of relevant recommendations in line with Government decisions.

Waste Management

264. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government the position regarding the necessary environmental clean-up at the former steel plant site on Haulbowline Island, County Cork. [6600/11]

271. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government if the toxic site at Haulbowline, County Cork has been remediated and if we are currently being fined by the European Commission because of the ongoing environmental damage at the site; his plans for the site; and if he will make a statement on the matter. [6776/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 264 and 271 together.

From 2004 to 2009, my Department had an interim role in the management of the former Ispat site in a manner which is consistent with good practice and minimisation of risk to human health and the environment. My Department arranged for the decontamination and demolition of buildings on the site and, post-demolition, for the procurement of a contractor for site surface clearance, back filling of voids and the disposal of surface wastes to be undertaken.

An Office of Public Works chaired working group has been developing a structured and coherent approach to the further management of the former Ispat site. The working group's terms of reference include examining the regulatory requirements for the site and advising the Government on the site's most beneficial future use. Plans for future use will determine the levels and extent of further works and/or remediation required, as well as helping to clarify further regulatory requirements, national and European, which may fall to be met.

I understand that the working group's report to Government is being finalised, and I look forward to its completion, and submission to Government. The Government recognises that a finalised and transparent approach will help toward addressing concerns of the local community.

Ireland has not been subject to any EU fines in relation to the former Ispat site.

Question No. 265 answered with Question No. 249.

Question No 266 answered with Question No. 257.

Local Authority Housing

267. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government the funds that have been allocated to local authorities in 2011 specifically for the purpose of facilitating tenants wishing to downsize; and if he will make a statement on the matter. [6667/11]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose): There are no funds specifically designated under the Social Housing Investment Programme for the purpose of facilitating local authority tenants wishing to downsize. A number of housing authorities, however, have traditionally operated such schemes within their overall housing programmes.

268. **Deputy Sean Fleming** asked the Minister for the Environment, Heritage and Local Government the number of mortgages currently in existence between homeowners and local authorities under the affordable housing scheme, shared ownership scheme and the tenant purchase scheme on a county basis; and if he will make a statement on the matter. [6751/11]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose): The information requested is not available in my Department.

Fire Incident Investigation

269. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if an independent investigation will be carried out into the deaths of two firefighters in Bray County Wicklow in 2007; and if he will make a statement on the matter. [6754/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I extend my deepest sympathies to the families and colleagues of Brian Murray and Mark O'Shaughnessy whose deaths occurred in such tragic circumstances in Bray in 2007.

In the immediate aftermath of the tragedy the Health and Safety Authority (HSA), An Garda Síochána and Wicklow County Council, each announced investigations into the deaths of two firefighters.

I cannot speak in relation to either the HSA or An Garda Síochána's investigation. In relation to the Wicklow County Council investigation, the following brief was given to the independent consultants conducting it on behalf of the Council:—

“carry out an investigation and assessment of the fire incident with specific reference to the building features to: determine, if possible, the factors in the building which influenced the course and severity of the fire, derive a timeline for the incident based on a review of accounts of those in attendance, assessment of the fire scene and post-fire analysis, and prepare a report setting out the results of the assessment and conclusions in regard to the particular circumstances in this building, which contributed to the deaths of the two fire fighters.”

My Department will consider any issues arising from information made available in reports on foot of the above investigations, and these may inform the Department's continuing work of

supporting and developing fire services. I do not intend to establish a further investigation into this tragic incident.

Planning Issues

270. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the position regarding trees (details supplied); and if he will make a statement on the matter. [6766/11]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose): Planning legislation places no specific restrictions on the height of hedges or trees nor does it make any particular provision for recognition of a right to light or remedy from any other nuisance which may be caused by trees in an urban residential area.

Complaints relating to matters such as trees or shrubs overhanging a property are normally addressed, where necessary, under civil law between the parties concerned.

Question No. 271 answered with Question No. 264.

Departmental Agencies

272. **Deputy Olivia Mitchell** asked the Minister for the Environment, Heritage and Local Government the number of agencies, authorities and other bodies coming within the Department's remit that operate independent payroll systems and the reason such a function could not be provided by the Department. [6800/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): There are 20 bodies under the aegis of the Department, mainly non-commercial, undertaking quasi-judicial/ regulatory, advisory and developmental functions. These bodies are of varying size and structure. There is an active consolidation programme in train that is reducing this number by six.

Day-to-day operations, including payroll and other administrative systems, are a matter for the individual organisations concerned. At present each of the bodies under my aegis has an independent payroll system in place. In the context of maximising the opportunities for efficiencies and standardising administrative practices, my Department is currently examining alternative options for the provision of support services such as payroll services, including opportunities for shared service arrangements. This is a specific commitment contained in my Department's Action Plan for the implementation of measures under the Public Service Agreement 2010-2014.

Proposed Legislation

273. **Deputy Maureen O'Sullivan** asked the Minister for the Environment, Heritage and Local Government his plans for legislation on noise pollution and the penalties envisaged for breaches of same. [6810/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): Currently, a person experiencing noise nuisance may contact their local authority, which may initiate proceedings on grounds of noise nuisance under the Environmental Protection Agency Act 1992. This Act also provides for any person, or group of persons, to seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public

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information leaflet A Guide to the Noise Regulations, outlining the legal avenues available to persons experiencing noise nuisance, is available on my Department's website www.environ.ie.

Notwithstanding the above, taking account of commitments in the new Programme for Government, my Department is considering proposals to strengthen legislation to address noise pollution, including through the introduction of fixed payment notices (also known as on the spot fines) and provision for mediation between neighbours.

Local Authority Housing

274. **Deputy Joan Collins** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the Irish Human Rights Commission and its president has stated that the human rights of residents in some local authority estates in this State are clearly being breached; that poor living conditions are leading to poor health, particularly of the respiratory organs; his views on whether the recent survey carried out at a location (details supplied) in Dublin 8 clearly shows the cause and effect nature of housing inequality and poor health; and his plan to eradicate the scourge of poor housing conditions nationally. [6812/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): My Department is committed to supporting local authorities in maintaining and improving the quality of the national social housing stock through a range of measures including large-scale urban regeneration programmes, improving the standard and energy efficiency of dwellings, pre-letting repairs and improvements and refurbishment works to vacant properties in order to return these to productive use as quickly as possible. Some €203 million is being provided in 2011 in support of these measures.

Dublin City Council established a special housing regeneration task force in 2008 to look at a number of potential new regeneration projects including the Dolphin House flat complex. As part of the planning and consultation stage of the Dolphin House project, the council has engaged the residents and the local community in a consultation and decision making process through a regeneration board. The board meets regularly and is working towards the preparation of a report for my Department that will outline the various options for regeneration. This is awaited at present. It is a matter for Dublin City Council, in the first instance, to prioritise and manage the advancement of regeneration proposals in the context of its overall programme. I recently wrote to Dublin City Council to ascertain the current position with regard to the Dolphin House report.

Under Section 58 of the Housing Act 1966, the management and maintenance of the local authority housing stock is a matter for individual housing authorities. I am aware, however, that there are ongoing maintenance issues associated with this flats complex. I understand that Dublin City Council is continuing to liaise with residents in relation to these and that a number of improvement works have been initiated to address condensation and dampness issues as well as works to improve the drainage systems.

Planning Issues

275. **Deputy Gerald Nash** asked the Minister for the Environment, Heritage and Local Government when he will publish the findings of a high level inquiry into planning practices in certain local authorities (details supplied) which was established in June 2010; and if he will make a statement on the matter. [6824/11]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose): My Department received comprehensive responses from the planning authorities concerned in relation to particular planning issues in their areas as part of a broadly-based review of planning practices and policies, undertaken by the previous administration. These reports were assessed in my Department to inform further policy formulation at that time. No further inquiry has been undertaken in this regard.

Architectural Heritage

276. **Deputy Catherine Murphy** asked the Minister for the Environment, Heritage and Local Government if he is considering the purchase of a demesne (details supplied) in County Kildare; and if he will make a statement on the matter. [6829/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The State has limited resources to acquire, maintain, conserve and present heritage properties, in particular, in the current economic climate. In principle, normal planning procedures and the relevant legislation should be used to give adequate protection to the built heritage.

The purchase of a heritage property by the State would only apply in exceptional circumstances, having regard, for example, to the heritage significance of the potential acquisition and the risk of loss of this significance. The cost of any acquisition, including conservation and ongoing maintenance and running costs, would need to be considered in such circumstances.

In the case of Donaghcumper Demesne the above principles apply and acquisition, by my Department, on behalf of the State, is not considered appropriate.

Planning Issues

277. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Heritage and Local Government the instructions or directive given by him in the past three years in regard to the conclusion of a list of rights of way in county plans; and if he will make a statement on the matter. [6853/11]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose): Section 7 of the Planning and Development (Amendment) Act 2010, which was commenced on 5 October 2010, amended the Planning and Development Act 2000 by requiring the inclusion of a mandatory objective in the development plan for:

“the preservation of public rights of way which give access to seashore, mountain, lakeshore, riverbank or other place of natural beauty or recreational utility, which public rights of way shall be identified both by marking them on at least one of the maps forming part of the development plan and by indicating their location on a list appended to the development plan”.

It is a matter for planning authorities to implement such policies in the context of their development plans. In this context and as statutory consultee, my Department continues to provide advice and comments to planning authorities on their draft development plans and draft variations and may refer to matters relating to rights of way from time to time as deemed appropriate.

Nuclear Plants

278. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if he will mark the 25th anniversary of Chernobyl next month by urging his

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EU counterparts to reject the growing dependence on nuclear power which remains unsafe as evidenced by recent events in Japan. [5320/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): Ireland recognises the right of States to determine their own energy mix, including whether or not to develop nuclear power. It is our expectation that, where a State chooses to develop a nuclear power industry, this will be done in line with the highest international standards with respect to safety and environmental protection. Safety must be the first priority for all existing or planned nuclear facilities.

At the European Council meeting on 24/25 March last, EU leaders agreed that, in light of the incident at the Fukushima nuclear power plant in Japan which followed the earthquake and tsunami on 11 March, the safety of all nuclear plants in the EU should be reviewed on the basis of a comprehensive and transparent risk and safety assessment.

It is important that these assessments are conducted rigorously and transparently at all nuclear plants and that any actions required on the basis of their results in order to improve nuclear safety are carried out. States with nuclear power industries must ensure that full account is taken of the lessons learned from the very serious situation in Japan, and that the assessments they conduct result in a strengthening of safety where necessary at all nuclear facilities.

Social and Affordable Housing

279. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Heritage and Local Government his plans to substantially reduce income thresholds for eligibility for social housing and to increase the age threshold to 65 years whereby older citizens can apply for the senior citizens housing list; and if he will make a statement on the matter. [5850/11]

280. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Heritage and Local Government his plans to reduce the income thresholds for eligibility for social housing; the numbers of persons now on local authority housing lists that will be disqualified from eligibility as a result of same; and if he will make a statement on the matter. [6029/11]

Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose): I propose to take Questions Nos. 279 and 280 together.

The Housing (Miscellaneous Provisions) Act, 2009, provides for a new process of housing needs assessment for applicants for social housing support. Until now there have been different practices in housing authorities regarding the way in which applicants for social housing support had their income means-tested. The Social Housing Assessment Regulations 2011, which came into force on 1 April, 2011, standardise both the income limits and how income is defined.

The income bands reflect the cost of private rented accommodation in different parts of the country. They are expressed in terms of a maximum net income threshold for a single-person household. For households of more than one person, the net income threshold is increased to take account of additional adults and children in the household.

Net income is defined in the Household Means Policy approved under the Regulations as gross income of all kinds (including most forms of social welfare benefits or assistance) less income tax, PRSI and the Universal Social Charge. Child Benefit is also disregarded as is most temporary income.

The Social Housing Assessment (Amendment) Regulations, made on 29 March 2011, amend the original regulations and provide for a general increase of €5,000 in the income bands. The new increased limits are €35,000, €30,000 and €25,000 for a single-person household, depending on the local authority area concerned.

The overall impact of the new arrangements, and of the amending regulations, is expected to be an increase in the number of households eligible for social housing support. I acknowledge that this may lead to a rise in waiting lists but I believe that it is important to broaden the base from which social housing tenants are drawn, in order to promote sustainable communities.

As regards older citizens, under previous arrangements, authorities used different definitions of older persons for purposes of social housing support. The new Regulations provide for a single national indicator, based on the commonly accepted figure of 65 years. While this is a primary indicator of particular accommodation requirements for those in the older age bracket, my Department's guidance to housing authorities makes it clear that individual households should be allocated the social housing support most appropriate to their particular needs. This approach gives housing authorities discretion in individual cases in the provision of housing support, in accordance with their allocation policies.

Proposed Legislation

281. **Deputy Terence Flanagan** asked the Minister for Justice and Equality if he will be introducing a new Bill this session to deal with our outdated bankruptcy laws; and if he will make a statement on the matter. [6511/11]

309. **Deputy Terence Flanagan** asked the Minister for Justice and Equality while the EU-International Monetary Fund bailout is contingent on the Government introducing new bankruptcy laws by early 2012, if the Law Reform Commission recommendations will become law before that date; and if he will make a statement on the matter. [6862/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Question Nos. 281 and 309 together.

The Government commitment under the EU/IMF Programme of Financial Support for Ireland is to publish insolvency reform legislation by Quarter 1 of 2012. The legislative programme for my Department includes a Personal Insolvency Bill that will provide for a new framework for settlement and enforcement of debt and for personal insolvency. The Bill, proposals in respect of which are being developed in my Department, will take into account the recommendations of the Law Reform Commission in its Report on *Personal Debt Management and Debt Enforcement* of December 2010.

The Civil Law (Miscellaneous Provisions) Bill, that I intend to publish shortly, will contain some interim measures in relation to reform of the law on bankruptcy.

UN Conventions

282. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality when he will ratify the UN Convention Against Corruption, which was signed on 9 December 2003; and if, in signing the convention, any qualifying declarations or reservations were made at the time. [6889/11]

Minister for Justice and Equality (Deputy Alan Shatter): The United Nations Convention Against Corruption was signed on behalf of Ireland, without any reservation, when the Instrument was opened for signature in December 2003. Arrangements are currently being made to

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enable ratification of this measure, so that, following Government approval, the Convention can be adopted by the State.

Garda Vetting of Personnel

283. **Deputy Joan Collins** asked the Minister for Justice and Equality the actions he has taken or plans to take to reduce the waiting times for Garda vetting. [6361/11]

293. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality the steps he will take to expedite the waiting times for Garda vetting for community and voluntary services which currently stands at approximately 16 weeks which is detrimental to all those who have been offered but are prevented from taking up a position of employment and to the wider community who suffer because their services are short staffed in the mean time; and if he will introduce a reasonable statutory timeframe within which vetting must be completed. [6519/11]

297. **Deputy John Lyons** asked the Minister for Justice and Equality the plans he has to address the issue of long delays in processing Garda clearance applications; if his attention has been drawn to the fact that such delays are causing much disruption to employers and employees alike in filling positions; and if he will make a statement on the matter. [6635/11]

310. **Deputy Dara Murphy** asked the Minister for Justice and Equality the position regarding Garda vetting; the way it is working at present; if the process has been centralised; and if he will make a statement on the matter. [6878/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Question Nos. 283, 293, 297 and 310 together.

Let me say at the outset that I am concerned at the length of time currently being taken to process vetting applications. I recognise that it is important to process these applications within a reasonable time frame both for the benefit of the applicants and the organisations for which they will work.

There are currently a total of 89 gardaí and Garda civilian personnel assigned to the Garda Central Vetting Unit (GCVU). This represents a very significant increase in the level of personnel assigned to the unit, which stood at only 13 before the current process of development in Garda vetting began in 2005.

A number of immediate measures are being taken to improve the processing times. The sanction of the Department of Finance has been obtained to retain the services of 10 temporary employees in the GCVU. A further sanction has been obtained to engage an additional 10 temporary employees for the unit and these are now being recruited. This should have an impact on processing times. In addition further steps are under consideration with a view to alleviating the pressure on the staff of the GCVU and reduce the time taken for the processing of applications.

The Garda Central Vetting Unit, based in Thurles, County Tipperary provides a centralised employment vetting to organisations in Ireland registered with the Garda Síochána for this purpose and which employ or engage persons in a full-time, part-time, voluntary or training capacity to positions where they would have substantial, unsupervised access to children and/or vulnerable adults. I am informed by the Garda Authorities that, at present, the average processing time for vetting applications received at the GCVU is approximately 10 weeks.

The service has been expanded greatly in recent years as part of an ongoing, phased programme to roll-out vetting to an increasing number of organisations in the child and vulnerable

adult care sectors. This target group is the clear policy priority. Within this programme the vetting service has now been extended to over 18,000 organisations. The GCVU has managed a substantial increase over recent years in the numbers of vetting applications it receives. The figures since 2006 are as follows:

2006	2007	2008	2009	2010
137,600	187,864	218,404	246,194	291,938

The average processing time for vetting applications fluctuates in line with periods of increased demand. In processing an individual vetting application, additional time may be required in cases where clarification is needed as to the details provided or where other inquiries need to be made, for example, when the person in question has lived and worked abroad. There will always be a reasonably significant time period required to process a vetting application. Registered organisations have been advised to take account of this in their recruitment and selection process. However, the gardaí make every effort to reduce the time to the minimum possible consistent with carrying out what are very necessary checks.

The question of legislative proposals to provide a statutory framework for vetting will necessitate consideration of a wide range of issues including information sharing with other relevant bodies, such as the HSE. It will also have to have regard to how responsibility for the management of information relevant to the vetting process is assigned and the need to protect the constitutional rights of all citizens. Any legislative proposals will be announced and brought forward in the usual way.

Deportation Orders

284. **Deputy Joe Costello** asked the Minister for Justice and Equality if he will revoke the deportation order on a person (details supplied); and if he will make a statement on the matter. [6383/11]

Minister for Justice and Equality (Deputy Alan Shatter): The persons concerned are a family unit made up of a father, mother and their three children. The father's case has been dealt with in isolation while the children's' cases were attached to their mother's case, meaning that any decision made in relation to her applied equally to them.

The case of the father has been finalised. He is not the subject of a Deportation Order nor has he an outstanding Subsidiary Protection application. His Subsidiary Protection application has been decided and the decision notified to him by letter dated 14th February, 2011. While the Subsidiary Protection application had a negative outcome, the man in question has been granted permission to remain in the State for a three year period, valid to 15th February, 2014. This decision was notified to him by letter dated 15th February, 2011.

The cases of the other family members are the subject of judicial review proceedings and as these proceedings are ongoing, it would not be appropriate for me to comment further on those cases at this time.

Citizenship Applications

285. **Deputy Jack Wall** asked the Minister for Justice and Equality the position regarding an application for citizenship in respect of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [6387/11]

Minister for Justice and Equality (Deputy Alan Shatter): Valid applications for a certificate of naturalisation from the persons referred to in the Deputy's Question were received in the Citizenship Division of my Department in January 2008.

The applications are being processed in the normal way with a view to establishing whether the applicants meet the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Juvenile Offenders

286. **Deputy Joe McHugh** asked the Minister for Justice and Equality if he will consider amending the Children Act 2001 or the Criminal Justice Act 2006 in order that youth offenders who have not re-offended are given clean records, thus facilitating travel and increasing job employment prospects; and if he will make a statement on the matter. [6417/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that the current legislation already makes provision for the non-disclosure of the criminal records of young offenders in certain circumstances.

The governing statutory provision is section 258 of the Children Act 2001. Section 258(1) of the Children Act 2001 provides for the non-disclosure of most offences committed by persons under 18 once specific conditions have been met. Section 258(4)(b) expressly provides that when someone seeks information with respect to a person's previous finding of guilt for any such offence, the question is to be treated as excluding the need to make any reference to such matters. The effect of this provision is that where the relevant conditions have been met, the person need not make a disclosure and is to be treated for all purposes in law as a person who has not committed, been charged with, prosecuted for, found guilty of or dealt with for an offence and the person may, except as provided for in the section, withhold information about the offence and the circumstances relating to it.

As persons meeting these conditions are no longer regarded under Irish Law as having committed offences they essentially have a clean record and in the context of travelling abroad, or seeking employment, they can truthfully claim to have a clean record.

I hope that this clarifies the position for the Deputy. I have asked officials to examine whether further clarification on this matter is required and advise me if a Ministerial Order pursuant to Sub Section 4(d) is necessary.

Prison Accommodation

287. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Justice and Equality his plans to discontinue the practice of slopping out in State prisons; and if he will make a statement on the matter. [6466/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can assure the Deputy that this Government is committed to the elimination of slopping out in all prisons and places of detention. Along with the proposal to review the Thornton Hall project, I would like to point out that the Programme for Government acknowledges the need to provide in-cell sanitation to all prisons, and in so far as resources permit, to upgrade prison facilities.

As things stand, I am informed by the Irish Prison Service (IPS) that 72% of prisoner accommodation has in-cell sanitation at present. I am told this will rise to in excess of 80% when the extension currently under construction in the Midlands Prison is opened in 2012.

A refurbishment project is also under way in the basement of the C-wing at Mountjoy prison which will result in an additional 36 cells with in-cell sanitation coming on stream by mid 2011. In addition, the IPS recently awarded a contract to provide in-cell sanitation in the remaining 74 cells on the same wing. Depending on the findings of a post project appraisal, the IPS will consider installing in-cell sanitation facilities in the remaining cells of that prison.

Finally, the IPS is currently appraising the logistical, financial, operational and other aspects of an outline proposal to provide in-cell sanitation in all cells in Cork Prison and all remaining cells in Limerick Prison that do not have in-cell sanitation. This appraisal will be informed by the evaluation of the Mountjoy 'C wing' project.

Proposed Legislation

288. **Deputy Michael McGrath** asked the Minister for Justice and Equality his plans to introduce changes to the bail laws in the State. [6486/11]

Minister for Justice and Equality (Deputy Alan Shatter): In preparing the Bill, I have asked my Department to examine a number of matters in the current law to ensure that the bail regime can operate in as tight and effective a way as possible.

One of the measures I am looking at is the extent to which the law can give greater guidance to the courts on the need to protect the public against those who present an unacceptable risk of committing a serious offence if granted bail.

Citizen Applications

289. **Deputy Pat Breen** asked the Minister for Justice and Equality the position regarding an application for naturalisation in respect of a person (details supplied); and if he will make a statement on the matter. [6488/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in February 2010.

The application is being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

290. **Deputy Denis Naughten** asked the Minister for Justice and Equality the current backlog in processing applications for naturalisation; when applications currently being processed were originally received by the Immigration Service; and if he will make a statement on the matter. [6493/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) that the Division is currently commencing further processing of applications received in mid 2009.

The average processing time from application to decision for the generality of valid applications for a certificate of naturalisation is currently 25 months and this has been maintained despite the substantial increases in the volume of applications received in recent years.

The granting of Irish citizenship through naturalisation is an honour not an entitlement. Applications must be processed in a way which preserves the necessary checks and balances to ensure that it is not undervalued and is given only to persons who satisfy the necessary qualifying criteria.

In accordance with the commitment in the Programme for Government I have requested my officials to explore options for the more efficient processing and determination of citizenship applications within a reasonable time. My intention is to reduce the processing time in this area to the greatest possible extent within the resource envelope available for this work.

Residency Permits

291. **Deputy Denis Naughten** asked the Minister for Justice and Equality the current backlog in processing applications for long term residency five year stamp; when applications currently being processed were originally received by the Immigration service; and if he will make a statement on the matter. [6494/11]

Minister for Justice and Equality (Deputy Alan Shatter): Long term residency is granted on the basis that a non EEA national has completed a minimum of five years legal residence in the State on work permit conditions. This is a major concession with successful applicants being granted Permission to Remain on a Stamp 4 which is valid for 5 years thus obviating the need to re-register with the Garda National Immigration Bureau on an annual basis.

I am informed by the Long Term Residency Section of the Irish Naturalisation and Immigration Service (INIS) that applications generally take approximately six months to process. For example, a person who submitted a valid application in January 2011 can expect a decision on their application in June/July 2011. Of course, for a variety of reasons, some applications may take longer than six months to process.

Proposed Legislation

292. **Deputy Peter Mathews** asked the Minister for Justice and Equality his plans to amend the Civil Partnership Act 2010 to recognise civil partnerships from Northern Ireland so that couples are exempt from inheritance tax in the event of the death of a partner; and if he will make a statement on the matter. [6495/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under SI No. 649 of 2010, civil partnerships registered in the United Kingdom are recognised in this jurisdiction and are entitled to the same treatment under Irish law as civil partnerships registered in the State. That Order came into force on 12 January 2011.

In relation to the proposed changes to the tax code, I refer the Deputy to the responses of the Minister for Finance to Parliamentary Questions numbers 78 of 29 March 2011 and 65 of 22 March 2011 in which he indicates that legislation to provide the same tax treatment for civil partners as that provided for spouses is currently in preparation and that it is intended that the legislation will have effect for the tax year 2011 and subsequent years.

Question No. 293 answered with Question No. 283.

Citizenship Applications

294. **Deputy Paul J. Connaughton** asked the Minister for Justice and Equality the position regarding an application for citizenship in respect of a person (details supplied); and if he will make a statement on the matter. [6546/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in July 2010.

The application is being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Judicial Appointments

295. **Deputy Jerry Buttimer** asked the Minister for Justice and Equality the number of vacancies in the Judiciary at the levels if any at Circuit Court and at District Court; and if he will breakdown the vacancies on a regional basis. [6549/11]

Minister for Justice and Equality (Deputy Alan Shatter): There are two judicial vacancies currently, one in the Dublin Circuit Court and one in District Number 10 (Meath) of the District Court.

Drug Seizures

296. **Deputy Michael McGrath** asked the Minister for Justice and Equality if he will provide details of the number of drug seizures in Cork city and county for each of the years 2007, 2008, 2009, 2010, and to date in 2011; and the quantity, type and value of drug seizures involved. [6602/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the most recent available information is in respect of the years 2007 to 2010. The tables set out the drug type, quantity and estimated street value of drugs seized in 2007, 2008, 2009 and 2010. The information has been compiled on the basis of cases reported to the Forensic Science Laboratory for Cork City, Cork North and Cork West Garda Divisions. Information in respect of the year 2011 is currently being compiled and I will arrange for it to be forwarded to the Deputy as soon as it is available. Statistics provided are operational, provisional and liable to change.

[Deputy Alan Shatter.]

An Garda Síochána Drug Seizures Cork City Garda Division 2010

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	22808.306 grams	273,699.67
Cannabis Resin	6057.883 grams	36,347.30
Cannabis Plants	38 plants	15,200.00
Heroin	410.174 grams	61,526.10
Cocaine	2726.589 grams	190,861.23
Ecstasy	5 tablets	25.00
BZP	18 tablets	90.00
Amphetamine	155.994 grams	2,339.91
Total Value		580,089.21

An Garda Síochána Drug Seizures Cork City Garda Division 2009

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	23921.932 grams	287,063.18
Cannabis Resin	19967.38 grams	119,804.28
Cannabis Plants	1184 plants	473,600.00
Heroin	3051.339 grams	457,700.85
Cocaine	3805.424 grams	266,379.68
Ecstasy	147.789 grams	7,389.45
BZP	735.551 grams	36,777.55
Amphetamine	140.313 grams	2,104.70
Total Value		1,650,819.69

An Garda Síochána Drug Seizures Cork City Garda Division 2008

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	110769.997 grams	221,539.99
Cannabis Resin	65643.045 grams	459,501.32
Heroin	960.089 grams	192,017.80
Cocaine	8061.992 grams	564,339.44
Ecstasy	25968.49 grams	259,684.90
Amphetamine	48.75 grams	731.25
Total Value		1,697,814.70

An Garda Síochána Drug Seizures Cork City Garda Division 2007

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	66197.08 grams	132,394.16
Cannabis Resin	19640.033 grams	137,480.23
Heroin	1050.786 grams	210,157.20
Cocaine	17656.636 grams	1,235,964.52
Ecstasy	9738.507 grams	97,385.07
Amphetamine	232.709 grams	3,490.64
Total Value		1,816,871.82

An Garda Síochána Drug Seizures — Cork North Garda Division 2010

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	2232.41 grams	26,788.92
Cannabis Resin	Nil	Nil
Cannabis Plants	38 plants	15,200.00
Heroin	Nil	Nil
Cocaine	274.394 grams	19,207.58
Ecstasy	Nil	Nil
Amphetamine	.181 grams	2.72
BZP	11291 tablets	56,455.00
Total Value		117,654.22

An Garda Síochána Drug Seizures — Cork North Garda Division 2009

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	2,397.086 grams	28,765.03
Cannabis Resin	1523.598 grams	9,141.58
Cannabis Plants	37 plants	14,800.00
Heroin	45.779 grams	6,866.85
Cocaine	498.434 grams	34,890.38
Ecstasy	6 tablets	30.00
Amphetamine	33.399 grams	500.98
BZP	100 tablets	500.00
Total Value		95,494.82

[Deputy Alan Shatter.]

An Garda Síochána Drug Seizures — Cork North Garda Division 2008

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	32,221.857 grams	64,443.71
Cannabis Resin	1,011.757 grams	7,082.29
Heroin	5.936 grams	1,187.20
Cocaine	3,678.031grams	257,462.17
Ecstasy	3,018.175 grams	30,181.75
Amphetamine	68.789 grams	1,031.83
Total Value		361,388.95

An Garda Síochána Drug Seizures — Cork North Garda Division 2007

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	2,376.472 grams	4,752.94
Cannabis Resin	1,783.428 grams	12,483.99
Heroin	1.194 grams	238.80
Cocaine	261.718 grams	18,320.26
Ecstasy	2,785 tablets	27,850.00
Amphetamine	2,756.078 grams	41,341.17
Total Value		104,987.16

An Garda Síochána Drug Seizures — Cork West Garda Division 2010

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	1248.749 grams	14,984.99
Cannabis Resin	505.99 grams	3,035.94
Cannabis Plants	156 plants	62,400
Heroin	Nil	nil
Cocaine	37.479 grams	2,623.53
Ecstasy	Nil	nil
Amphetamine	Nil	nil
BZP	241 tabs	1,205.00
Total Value		84,249.46

An Garda Síochána Drug Seizures — Cork West Garda Division 2009

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	2,340.677 grams	28,088.12
Cannabis Resin	170.575	1,023.45
Cannabis Plants	948.2 plants	379,280.00
Heroin	146.429 grams	21,964.35
Cocaine	33.819 grams	2,367.33
Ecstasy	2 tabs	10.00
Amphetamine	.363 grams	5.44
BZP	413 tablets	2,065.00
Total Value		434,803.69

An Garda Síochána Drug Seizures — Cork West Garda Division 2008

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	3,377.509 grams	6,755.01
Cannabis Resin	265.362 grams	1,857.53
Heroin	4.001 grams	800.20
Cocaine	152.245 grams	10,675.15
Ecstasy	404.214 grams	4,042.14
Amphetamine	27.624 grams	414.36
Total Value		24,544.39

An Garda Síochána Drug Seizures — Cork West Garda Division 2007

Drug Type	Quantity	Estimated Street Value
		€
Cannabis	604.98 grams	1,209.96
Cannabis Resin	160.893 grams	1,126.25
Heroin	1,005.081 grams	201,016.20
Cocaine	1,529,850.038 grams	107,089,502.66
Ecstasy	1,558.102 grams	15,581.02
Amphetamine	16.001 grams	240.01
Total Value		107,308,676.10

Question No. 297 answered with Question No. 283.

Ministerial Appointments

298. **Deputy Eamonn Maloney** asked the Minister for Justice and Equality when the Legal Services Ombudsman will be appointed; and if he will make a statement on the matter.

[6671/11]

Minister for Justice and Equality (Deputy Alan Shatter): The appointment of the Legal Services Ombudsman is a matter for Government. However, in advance of bringing a proposal to Government, my Department is considering the implications for the making of an appointment, of the commitment in the Memorandum of Understanding on Specific Economic Policy Conditionality related to the EU/IMF Programme of Financial Support to Ireland, to legislate for the appointment of an independent regulator of the legal profession.

Asylum Applications

299. **Deputy Michael Healy-Rae** asked the Minister for Justice and Equality if he will grant asylum to persons (details supplied); and if he will make a statement on the matter. [6693/11]

Minister for Justice and Equality (Deputy Alan Shatter): The persons concerned are a husband, his wife and the couple's child. The husband and wife lodged separate asylum applications on 18 September, 2009. The child made an asylum application on 28 July, 2010. All three asylum applications were individually considered and it was found that none of the persons concerned met the criteria for recognition as a refugee.

Arising from the refusal of their respective asylum applications, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), they were separately notified, the husband and wife by letters dated 24 May, 2010 and the child by letter dated 30 December, 2010, that the Minister proposed to make Deportation Orders in respect of them. They were each given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of Deportation Orders or of making representations to the Minister setting out the reasons why Deportation Orders should not be made against them. In addition, they were notified of their respective entitlements to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The persons concerned submitted applications for Subsidiary Protection. When consideration of these applications has been completed, the persons concerned will be notified in writing of the outcomes.

In the event that the applications for Subsidiary Protection are refused, the position in the State of the persons concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the files are passed to me for decision. Once decisions have been made, these decisions and the consequences of the decisions will be conveyed in writing to the persons concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Courts Service

300. **Deputy Seán Kyne** asked the Minister for Justice and Equality the position regarding the court house at Derrynea, Castella, Connemara, County Galway which is under review by the Courts Service; and whether the Courts Service recognises the special role Derrynea plays in providing court hearings as Gaeilge for the Connemara Gaeltacht. [6694/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under the provisions of the Courts Service Act 1998, management of courthouses is the responsibility of the Courts Service and my Department has no role or responsibility in the matter. Section 4(3) of the 1998 Act provides that the Courts Service is independent in the performance of its functions, which are specified in section 5 as follows: management of the Courts; provision of support services for the judges; provision of information on the courts system to the public; provision, maintenance and management of court buildings and provision of facilities for court users. In the circumstances, I am asking the Chief Executive of the Courts Service to note the terms of the question from the Deputy and to respond to him directly in the matter.

Citizenship Applications

301. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality the position regarding citizenship in respect of a person (details supplied) in County Limerick. [6733/11]

Minister for Justice and Equality (Deputy Alan Shatter): An application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in December 2007. On examination of the application submitted it was determined that the person in question did not meet that statutory residency requirements as set out in the Irish Nationality and Citizenship Act, 1956, as amended. The person concerned was informed of this in a letter issued to him on 16 May, 2008.

It is open to the person concerned to lodge a new application for a certificate of naturalisation with the Citizenship Division of my Department if and when they are in a position to meet the statutory requirements. I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Stations

302. **Deputy Seán Kenny** asked the Minister for Justice and Equality the annual allocation to the maintenance of Garda premises since 2004, the number of Garda stations that have received such maintenance and the number that have received significant structure and interior refurbishment since 2004. [6742/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda accommodation programme is based on agreed priorities established by An Garda Síochána and it is brought forward in close cooperation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation. Capital funding for significant refurbishment work in excess of €65,000 is a matter for the Office of Public Works.

The Office of Public Works has provided details of the number of Garda stations which have undergone significant works since 2004 and they are set out in the attached table. These figures do not include new Garda stations constructed during that period. In addition, funding for refurbishment works up to €65,000 is provided in the Vote of An Garda Síochána. Details of the number of Garda stations which have undergone such refurbishment since 2004, and the annual expenditure, are also set out in the attached table.

[Deputy Alan Shatter.]

Year	Garda stations refurbished up to €65,000	Expenditure from Garda Vote €	Significant refurbishments — OPW	Total refurbished
2004	198	5,511,000	15 Stations	213
2005	164	5,120,000	16 Stations	180
2006	141	5,117,000	16 Stations	157
2007	312	10,805,000	19 Stations	331
2008	253	24,733,000	11 Stations	264
2009	218	9,578,000	16 Stations	234
2010	264	8,424,000	11 Stations	275
2011	N/A to date		5 Stations	5

Garda Strength

303. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí by rank in each local public order unit; and the number of vacancies by rank in each unit. [6745/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that as of the latest date (31 March 2011) for which figures are readily available, the personnel strength of An Garda Síochána was 14,330. I am further informed that for security and operational reasons it is Garda policy not to disclose the number of personnel attached to the public order units.

304. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí in each local traffic unit by rank the number of marked and unmarked traffic cars, vans, jeeps and motorbikes; and the number of vacancies in each unit by rank. [6747/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that, as of the latest date for which figures are readily available, the personnel strength of each Divisional Traffic Unit, and the number of traffic vehicles allocated to each Divisional Traffic Unit is as set out in the attached table. In addition to this there is a Superintendent attached to each of the 6 Garda regions in the Country. The Deputy will also be aware that an Assistant Commissioner, based in the Garda National Traffic Bureau, has overall responsibility for traffic policy. 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.

Garda Traffic Corps

Division/Office	Strength	Cars	4x4s	Motorbikes	Vans
GNTB	11				
Cavan-Monaghan	36	7	1	4	0
Clare	26	4	1	2	1
Cork City	51	10	1	8	2
Cork North	40	10	1	3	0
Cork West	30	6	1	2	0
DMR East	18	2	1	6	0

Division/Office	Strength	Cars	4x4s	Motorbikes	Vans
DMR North	23	3	2	5	0
DMR North Central	21	3	2	7	0
DMR South	16	2	2	7	0
DMR South Central	27	2	1	8	3
DMR Traffic	154	17	5	33	3
DMR West	22	2	2	5	0
Donegal	35	10	1	4	0
Galway	49	10	1	8	1
Kerry	33	3	3	1	0
Kildare	40	6	2	1	1
Kilkenny-Carlow	38	9	0	1	1
Laois-Offaly	35	7	1	4	0
Limerick	33	6	1	5	1
Louth	25	6	1	3	0
Mayo	24	5	1	2	0
Meath	31	5	2	3	1
Roscommon-Longford	23	5	1	1	0
Sligo-Leitrim	34	9	1	3	2
Tipperary	30	5	1	4	0
Waterford	26	3	1	3	0
Westmeath	30	6	1	2	0
Wexford	25	4	1	3	0
Wicklow	30	4	1	0	0
Total	1016	171	40	138	16

Departmental Policy

305. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the Department which has responsibility for integration policy as outlined in the previous Government's ministerial portfolios; the lead person with responsibility for the area of integration policy in this Department; the areas of integration policy the said Department aims to focus on; the way they propose to engage with immigration and integration groups; and if he will make a statement on the matter. [6755/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that, as indicated in the Programme for Government, it is intended to promote policies that integrate minority ethnic groups in Ireland and that promote social inclusion, equality, diversity and the participation of immigrants in the economic, social, political and cultural life of their communities. Lead responsibility for these matters has been assigned to my Department with effect from 1 April 2011.

I can also inform the Deputy that there will be consultation and discussion with relevant stakeholders as policies are developed and implemented.

Visa Applications

306. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding family reunification in the case of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [6764/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy made a Family Reunification application on 23rd August 2010 and the application was forwarded to the Office of the Refugee Applications Commissioner as required under Section 18 of the Refugee Act 1996.

I am further informed by INIS that a letter regarding his refugee status issued to the person concerned from the Ministerial Decisions Unit on 25th March 2011, in which he was also informed that his Family Reunification application had been suspended pending the outcome of their investigations.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Proposed Legislation

307. **Deputy Noel Harrington** asked the Minister for Justice and Equality as a part of the Programme for Government, the date on which he will introduce legislation to outlaw the practice of upward only rent reviews in commercial letting of property; if he expects this legislation to be passed into law before the summer recess; and if he will make a statement on the matter. [6770/11]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Question No. 166 of 29 March 2011. As the Deputy notes, the Programme for Government indicates that legislation will be introduced to end upward only rent reviews for existing leases. I am in consultation with the Attorney General with a view to progressing this matter as expeditiously as possible.

Garda Vetting of Personnel

308. **Deputy Pat Breen** asked the Minister for Justice and Equality when a decision on a Garda vetting application will issue in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [6840/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that the Garda Central Vetting Unit has no record of a vetting application in respect of the person to whom the Deputy refers. In the circumstances, I can only suggest that the person seeks clarification from the organisation submitting the application.

Question No. 309 answered with Question No. 281.

Question No. 310 answered with Question No. 283.

International Conventions

311. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality his plans to transpose in to domestic law Article 12 of the Council of Europe Criminal Law Convention on Corruption; and if any other articles from this convention still need to be suitably addressed by him and the expected timetable for doing so. [6890/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Government is committed to consolidating and reforming the law on corruption. My officials have commenced work with a

view to bringing proposals to Government in due course. The provisions of the Council of Europe Criminal Law Convention on Corruption, along with the provisions of all other relevant international instruments, will be considered in the development of those proposals.

Defence Forces Recruitment

312. **Deputy John O'Mahony** asked the Minister for Defence his plans for recruitment to the Defence Forces; and if he will make a statement on the matter. [6360/11]

Minister for Defence (Deputy Alan Shatter): Within the context of consolidating the public finances, the Government is focused firmly on maintaining the operational efficiency of the Permanent Defence Force. In the context of Budget 2010 the previous Government approved a level of 10,000 all ranks. This reflects the reductions in personnel recommended in the Report of the Special Group on Public Service Numbers and Expenditure Programmes. However in 2011, the Permanent Defence Force, like all areas of the public service, will operate on a reduced budget. I am advised by the Military Authorities that the strength of the Permanent Defence Force as of 28 February, 2011 was 9,582 comprising 7,805 Army, 761 Air Corps and 1,016 Naval Service personnel. Targeted recruitment is being carried out in 2011 in order to maintain the operational capability of the Defence Forces. In this regard approval has been granted for the recruitment of 200 general service recruits in 2011. In addition there will be an intake of 30 cadets from the Cadetship Competition 2011 and a number of technical appointments will be filled.

I can confirm that with the support of the Chief of Staff, and within the resources available, I intend to retain the capacity of the organisation to operate effectively across all roles while contributing to the necessary public service economies.

While these are challenging times, my priority is to ensure that the Defence Forces are organised, equipped and staffed in a manner which will ensure that they can continue to deliver the services required of them by Government.

I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government both at home and overseas.

Defence Forces Personnel

313. **Deputy Pádraig Mac Lochlainn** asked the Minister for Defence the reason for the delay in dispatching documents to a person (details supplied) in County Donegal. [6421/11]

Minister for Defence (Deputy Alan Shatter): The person in question was discharged from the Defence Forces on 20 February, 2011. I understand that the Leabhair Airm (LA 89) was sent by registered post to his home address on 25 March, 2011. The delay in dispatching the documents was due to a changeover of administrative staff in the Headquarters of Finner Camp, Co. Donegal.

314. **Deputy Seán Kenny** asked the Minister for Defence the number of vacancies in the Defence Forces by rank and the number above the rank of second lieutenant. [6748/11]

Minister for Defence (Deputy Alan Shatter): The following table outlines the number of vacancies in the Permanent Defence Force by rank. The number of vacancies is based on the agreed Employment Control Framework of 10,000 all ranks in the Permanent Defence Force versus the strength of 9582 as at 28 February, 2011, the latest date for which figures are available.

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Rank	Agreed ECF Strength	Total Current Strength	Vacancies
Lt. Gen	1	1	0
Maj. Gen	2	2	0
Brig. Gen	9	8	1
Colonel	43	32	11
Lt. Col	152	122	30
Comdt	370	340	30
Capt	494	442	52
Lt*	280	382	0
Sgt Maj	48	32	16
BQMS	48	32	16
CS	260	218	42
CQMS	280	242	38
Sgt	1425	1270	155
Cpl	1825	1654	171
Private**	4763	4805	0
Total	10,000	9582	562

*Lt figure includes 2/Lt

**Private figure includes recruits and Cadets

As shown in the table there is 124 vacancies above the rank of 2nd Lieutenant.

Departmental Agencies

315. **Deputy Olivia Mitchell** asked the Minister for Defence the number of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems and the reason such a function could not be provided by his Department. [6797/11]

Minister for Defence (Deputy Alan Shatter): The bodies under the aegis of my Department are the Civil Defence Board and the Army Pensions Board. The payroll function for each of these bodies is carried out by my Department.

Departmental Property

316. **Deputy Jack Wall** asked the Minister for Defence the position regarding the sale of houses at a location (details supplied) in County Kildare; and if he will make a statement on the matter. [6821/11]

Minister for Defence (Deputy Alan Shatter): The position is that there is one vacant house in Orchard Park at present. The Department accepted an offer in February, 2011 for the purchase of this property. The Chief State Solicitors Office is acting on behalf of the Department and has been instructed to liaise with the purchaser's solicitor regarding the sale.

317. **Deputy Jack Wall** asked the Minister for Defence further to previous Parliamentary Questions the reason he has refused to supply information to the local authority in seeking to determine an agreement between two bodies regarding taking over of an estate (details supplied) in County Kildare; the further reason such replies state that negotiations were taking place when in fact there was no correspondence of the information as requested from 2003 to date; and if he will make a statement on the matter. [6823/11]

Minister for Defence (Deputy Alan Shatter): The Department has not refused to supply any information to the local authority concerning the estate in County Kildare. On the contrary, the Department has written to the relevant Co. Council on a number of occasions, most recently the 23 February and 23 March 2011 and is awaiting a reply. The Department is eager to progress this matter and will finalise the issue once it is made aware of the specific requirements of the Council.

I have asked my officials to again contact the Council to ensure that the taking in charge of the estate is concluded.

Defence Forces Training

318. **Deputy Eoghan Murphy** asked the Minister for Defence the measures that have been taken to clarify the difference between bullying and robust training for new recruits in the Defence Forces, for both recruits and their instructors, as recommended in a report on military human resources, conducted by the independent monitoring group and published in December 2008. [6891/11]

319. **Deputy Eoghan Murphy** asked the Minister for Defence the measures that have been taken to ensure greater emphasis during initial training on ensuring new entrants in the Defence Forces understand what is and what is not bullying and harassment and inappropriate behaviour, as recommended in a report on military human resources, conducted by the independent monitoring group and published in December 2008. [6892/11]

320. **Deputy Eoghan Murphy** asked the Minister for Defence the measures that have been taken in the Defence Forces to put in place reviews of instructors' workshops on corrective action and whether or not wider use is being made of case studies in training instructors for implementing corrective action, as recommended in a report on military human resources, conducted by the independent monitoring group and published in December 2008. [6893/11]

321. **Deputy Eoghan Murphy** asked the Minister for Defence the outstanding recommendations from the report on military human resources, conducted by the independent monitoring group and published in December 2008, that are still to be implemented. [6894/11]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 318 to 321, inclusive, together.

The 2008 report of the Independent Monitoring Group included 46 recommendations to chart the way ahead in continuing to meet the demands for dignity and equality in the military workplace. The 2008 report highlighted the initiatives undertaken by the Defence Forces in the area of human resource management and workplace culture in the period from 2004. The Report confirmed that the culture of the Defence Force organisation had evolved positively and noted that the recorded number of incidents of unacceptable behaviour was low. Of the 46 recommendations contained in the 2008 Report, 23 have been implemented, with work underway in respect of the majority of the remaining 23. As the implementation of these recommendations requires the concerted and combined effort of both the military and the Department and in some cases ongoing monitoring, the Independent Monitoring Group report is considered monthly by the joint military/civilian Standing Committee on Defence Forces Personnel Policy Issues.

Turning to the specific issues raised in the questions, I am advised that the syllabus for induction training has been revised. Greater emphasis is placed during initial training on ensuring that new entrants understand what is and is not bullying/harassment and inappropriate

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behaviour. Pre-course orientation for Instructors is included in annual seminars for Cadet School/Brigade Training Centres including the Naval Service and Air Corps and is revised as necessary. Defence Forces Training Establishment Standing Orders are updated where necessary prior to the commencement of a course. Pre-course training for attached instructors must include familiarisation with the revised Standing Orders. Relevant and realistic case studies are included as part of the annual seminar for Cadet School/Brigade Training Centres including the Naval Service and Air Corps. In addition, the role of Unit/Sub-unit Commander in the area of corrective action is included in the revised Junior Command and Staff course.

Defence Forces Review

322. **Deputy David Stanton** asked the Minister for Defence when the value for money review of the Reserve Defence Forces will be completed; when he expects to publish same; and if he will make a statement on the matter. [6897/11]

Minister for Defence (Deputy Alan Shatter): The Reserve Defence Force was selected for review as part of the 2009-2011 phase of the Government's Value for Money and Policy Review initiative and this review commenced in February 2010. A Steering Committee comprising representatives from the Department of Defence, the Defence Forces and the Department of Finance is overseeing the Review. In accordance with revised guidelines for the conduct of Value for Money Reviews, an independent chair was appointed to the Steering Committee. The Steering Committee has met on seven occasions since the review commenced. The Steering Committee is supported by a civil/military working group.

The Steering Committee and the Working Group have engaged in an extensive programme of consultation and have sought additional detailed information relating to Reserve activity. The final elements of these information requirements are currently being compiled and will then be analysed. This information is necessary in order to ensure a comprehensive and balanced picture of Reserve activity.

It is planned to hold a meeting of the Steering Committee in the coming weeks, when progress to date will be considered. The Steering Committee will also review the anticipated time-frame for completion of the Review.

Departmental Agencies

323. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food if adequate staff will be made available to a college (details supplied) in County Cork to meet the demand for evening classes; and if he will make a statement on the matter. [6717/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the Agriculture, (Research, Training and Advice) Act, 1988, Teagasc has statutory responsibility for the provision of education, research and advisory services to the Agriculture sector. It is a matter for Teagasc and its Board to prioritise activities in the delivery of these services and to allocate its resources in accordance with these priorities. Accordingly, delivery of the Teagasc education and training programme is an operational matter for Teagasc and its Board. Ministerial responsibility is confined to matters of policy in accordance with the Act establishing Teagasc and is not concerned with the day-to-day operations of Teagasc.

I understand Teagasc education programmes are delivered through a network of 8 agricultural colleges, 12 Regional education centres and 80 local centres. Teagasc employ over 180 staff directly and pay the salaries of a further 45 staff in the private colleges to deliver education

and training courses. The allocation of resources to individual colleges is entirely a matter within the remit of the Teagasc Authority and is not one in which the Minister has a function.

Grant Payments

324. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food if all farm subsidy payments have been made to a person (details supplied) in County Tipperary. [6351/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the Single Payment Scheme was received from the person named on 28 April 2010. In order to draw down the full single payment, an applicant must declare one eligible hectare in respect of each payment entitlement held. While the person named holds 30.65 entitlements, as only 20.67 hectares were declared, the payment which issued was based on the area declared.

The person named registered 15 beef breed calves in 2009 under the Suckler Welfare Scheme. This application was the subject of an inspection which has now been completed. The case has been processed for payment which will issue in the coming weeks.

It does not appear that the person named is a participant in any other of my Department's schemes. However, I have arranged for one of my officials to contact the person named directly.

Grasslands Management

325. **Deputy Dominic Hannigan** asked the Minister for Agriculture, Fisheries and Food his plans to develop, or fund the development of, an online grasslands management system; and if he will make a statement on the matter. [6355/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the Agriculture, (Research, Training and Advice) Act, 1988, Teagasc has statutory responsibility for the provision of education and advisory services to the Agriculture sector as well as certain responsibilities for agricultural research and development. It is a matter for Teagasc and its Board to prioritise activities in the delivery of these services and to allocate its resources in accordance with these priorities.

I understand that Teagasc has no plans at present to develop an on-line grasslands management system. The Teagasc 'Animal and Grassland Programme' provides farmers with advice and knowledge on pasture based systems of animal production. The Programme is concerned with the development of grass breeding, establishment and renovations; grass growth, sward dynamics and utilisation; soil fertility and nutrient use efficiency and grazing management including conservation.

Animal Welfare

326. **Deputy Joan Collins** asked the Minister for Agriculture, Fisheries and Food his views on the transportation of greyhounds from Ireland to China is being considered by the Irish Greyhound Board; if he sees any animal welfare issues arising from such transportation and if so, his plans regarding potential problems; and if he will make a statement on the matter. [6372/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I am not aware of any exports of greyhounds from Ireland to China in recent years.

Bord na gCon is a commercial State Body. The Board of Bord na gCon is responsible for leading and directing the activities of the Company. My Department is aware that Bord na

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gCon is exploring possible business opportunities in China. Bord na gCon has repeatedly confirmed its commitment to the highest standards of animal welfare in the greyhound industry. Consequently my Department would expect that any proposal involving Bord na gCon engaging with the greyhound industry in China would consider animal welfare matters. The Department's consideration of any proposal would be based on the overall case put forward and would as a matter of course remain mindful of the need to ensure the welfare of animals.

Any proposal to export greyhounds from Ireland to China would require the establishment and agreement of export health certification protocols with the Chinese authorities, and appropriate transport arrangements would have to be put in place to ensure the welfare of the animals in transit. My Department endeavours to ensure that all exporters comply with Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.

Departmental Schemes

327. **Deputy Pearse Doherty** asked the Minister for Agriculture, Fisheries and Food if he will clarify his position on the agri-environment options scheme for 2011; if it will reopen to accept the 10,000 farmers who will be leaving REP scheme 3 by mid May; and if he will make a statement on the matter. [6377/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I am currently concluding a review of last year's scheme, on the basis of which, and subject to the expenditure ceilings set out in the National Recovery Plan 2011-2014, I will very shortly make an announcement in relation to the position for 2011.

EU Regulations

328. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Fisheries and Food the rules laid down by him and or the EU in relation to the grading of Connemara ponies; and if he will make a statement on the matter. [6400/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The Connemara Pony Breeders' Society is approved to maintain the studbook of origin for the Connemara Pony Breed in Ireland by my Department under the relevant EU and National Zootechnical Legislation. In accordance with this legislation, the Connemara Pony Breeders Society has established principles and rules for the classification and grading of animals in the studbook.

Departmental Schemes

329. **Deputy Michael McCarthy** asked the Minister for Agriculture, Fisheries and Food the grants available to assist farmers with the cost of land reclamation and-or improvement works to farm land; the details of these grants; and if he will make a statement on the matter. [6405/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): There is no grant-aid currently available from my Department for land reclamation or improvement works to farm land.

330. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Fisheries and Food the position regarding the immediate opening of the agri environment option scheme for applicants. [6422/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I am currently concluding a review of last year's scheme, on the basis of which, and subject to the expenditure ceilings set out in the National Recovery Plan 2011-2014, I will very shortly make an announcement in relation to the position for 2011.

Departmental Schemes

331. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Fisheries and Food when applications will be approved for agri-environment options scheme; if the scheme will be made available to 10,000 applicants in 2011 as promised by the previous Government; and if he will make a statement on the matter. [6463/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I am currently concluding a review of last year's scheme, on the basis of which, and subject to the expenditure ceilings set out in the National Recovery Plan 2011-2014, I will very shortly make an announcement in relation to the position for 2011.

332. **Deputy Colm Keaveney** asked the Minister for Agriculture, Fisheries and Food his plans to proceed with the new agri-environment options scheme in order for the farming sector to continue with important environmental work. [6471/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I am currently concluding a review of last year's scheme, on the basis of which, and subject to the expenditure ceilings set out in the National Recovery Plan 2011-2014, I will very shortly make an announcement in relation to the position for 2011.

Grant Payments

333. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food if he will furnish a response to correspondence (details supplied); and if he will make a statement on the matter. [6487/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the provisions of the governing EU Regulations, payments under the Single Farm Payment may be made only in respect of eligible land and applicants under the Scheme are obliged annually to declare the land parcels available to them. Details of the eligible area of the land parcels are recorded on my Department's Land Parcel Identification System. It is also necessary for applicants to exclude ineligible features such as scrub, roadways, etc. Therefore, the LPIS database has to be amended on an ongoing basis to reflect any permanent changes such as parcel boundary changes, addition of new parcels, etc.

Having reviewed the declarations made by the person named, specific issues were identified with regard to the areas declared, in that it was found that one of the land parcels contained buildings, while another contained forestry, which are ineligible areas under the Single Payment Scheme. Furthermore, as the person named was found not to have made sufficient allowance for these ineligible areas, the payments which issued were calculated accordingly, subject to the regulatory reductions. However, following consideration of an appeal from the person named, the areas initially deemed ineligible were reviewed and re-calculated, the net effect being the issuing of a supplementary payment to the person named on 24 January 2011.

With specific regard to the representations which the Deputy lodged on behalf of the person named, it does appear that a response did not issue, which is regretted. It can only be concluded

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that this was due to inadvertent oversight. Mindful of all the circumstances of this case, I have arranged for one of my officials to make direct contact with the person named.

334. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the amount of the 2010 single farm payment paid to a person (details supplied) in County Cork; and if he will make a statement on the matter. [6521/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2010 Single Payment Scheme was received from the person named on 14 May 2010. During validation of the application an over-claim was identified on one of the parcels declared. This error was raised with the person named and a reply was received to state that the applicant was accepting the amended reference area. Payments were calculated on this basis: the advance payment issued on 18 October 2010 and the balancing payment on 1 December 2010.

Special Areas of Conservation

335. **Deputy Tom Fleming** asked the Minister for Agriculture, Fisheries and Food if he will honour the commitment given by his predecessor last Christmas to re-open the Crumann mussels fishery in Castlemaine harbour, County Kerry, in May as with all other fisheries along the east coast. [6535/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Castlemaine Harbour is designated as a Special Area of Conservation under the EU Habitats Directive and a Special Protection Area under the EU Birds Directive. The designation of the Harbour places restrictions under EU law on the activities that can take place in the harbour. Any such activity is subject to prior scientific assessment of its potential impact on the conservation objectives for the site. Following such assessment the planned activity if approved may be subject to mitigation measures.

The European Communities (Control on Mussel Fishing) Regulations 2008 (S.I. 347 of 2008) closed Castlemaine Harbour and other known mussel seed fisheries located in Natura 2000 sites. When the national mussel seed fishery opens each year, these are excluded unless and until they have been scientifically assessed against the conservation objectives for the Natura site. In the absence of published conservation objectives, a proposal to fish for mussel seed in Castlemaine Harbour was the subject of an 'interim' assessment in 2008, 2009 and 2010 and this required the support of the European Commission, given the negative findings in 2007 of the European Court of Justice against Ireland concerning non-compliance with the Habitats and Birds Directives in Natura sites.

Conservation Objectives for Castlemaine Harbour were published by the National Parks and Wildlife Service in August 2010. With the availability now of conservation objectives, a full assessment can be carried out of fishing and aquaculture activity in the Harbour. Since last year, my Department has been working closely with NPWS, BIM and the Marine Institute to ensure that this first full assessment will be completed in good time for the traditional mussel seed fishing season in Castlemaine Harbour.

I understand that the Fishermen's Co-Operative in Castlemaine Harbour has prepared a fishing plan for 2011, with the assistance of BIM. Crucially, that plan is expected to set out proposals for a 5-year period. I expect to receive that plan very shortly. Given the scientific work that has been undertaken by the Marine Institute over the last year, in consultation with the NPWS, BIM and my Department, the Marine Institute expect to complete their scientific assessment of the fishing plan for Castlemaine Harbour within a short period. I am advised

that this will see the assessment completed by the end of April and as a result the statutory public consultation can be completed by the end of May. I will then make my statutory decision on the mussel seed fishery for Castlemaine Harbour during the month of June. I note that the traditional mussel seed fishing season in Castlemaine Harbour starts in August or September, depending on the maturity of the seed.

Should the Co-operative's proposals for a 5-year plan prove acceptable, this will remove the need for annual assessments and Castlemaine Harbour will be able to open with the rest of the national mussel seed fishery, subject to any necessary mitigating or management measures included in the adopted Natura Fisheries Plan.

Animal Diseases

336. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food if he will consider paying a person (details supplied) in County Galway compensation under animal health regulations; and if he will make a statement on the matter. [6542/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): A Veterinary Inspector from my Department made contact with and visited this farmer in May last year, in response to an earlier query. Previously a Department Veterinary Research Officer visited the farm in May 2008 at the request of the farmers' Private Veterinary Practitioner (PVP). From time to time samples from the farmer's herd have been submitted to the Department's Regional Veterinary Laboratory by the PVP as an aid to diagnosis. To date, other than a specific diagnosis of lungworm infestation in one sample submitted, there has not been a definitive diagnosis which would lead to the identification of a common cause of death in the adult animals. As advised at the time of the visit by the Veterinary Inspector, a metabolic disorder could be suspected. In this regard, as well as engaging the services of a PVP, there would be merit in the farmer also engaging the services of a nutritionist to investigate this possibility and an Inspector from my Department is available to advise him further in this regard.

To date, whilst the farmer has indeed experienced losses in his dairy herd, there is no evidence that these have resulted from any scheduled or notifiable disease. There are no funds at my disposal to compensate farmers who experience losses associated with conditions that are not subject to regulation by my Department.

Grant Payments

337. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when a grant under the agri-environment options scheme will be awarded in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [6543/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the EU Regulations governing the agri-environment Options Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. Payment will issue at the earliest possible date once these checks have been completed.

338. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food the position regarding an application for animal welfare in respect of a person (details supplied) in County Roscommon. [6567/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named registered 20 beef breed calves in 2009. Payment has issued in respect of 15 calves. The remain-

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ing 5 calves were rejected on the grounds of non-compliance with the weaning procedures during an on-farm inspection. A review of this decision was sought by the applicant and is currently being undertaken. My Department will inform the applicant of the outcome of that review.

Rural Environment Protection Scheme

339. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food if he will furnish a response to an area aid query (details supplied); and if he will make a statement on the matter. [6569/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 3 on 1st December 2006 and has received all five stages of the REPS payment. His contract under REPS 3 will finish on 30 November 2011.

Two separate REPS penalties were imposed following an on-farm inspection on 8 September 2009. The first was a 10% penalty for not having work carried out in accordance with the plan by the end of Year 1 and this penalty was recovered from the person named in September 2009. The second penalty related to an over-claim on a parcel of land. The penalty amount was recovered in April 2010. This penalty was subsequently reduced and the balance due to the person named was paid in November 2010.

Grant Payments

340. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if he will review the case of a person (details supplied) in County Kerry who has had their entitlements cut in respect of their land; and if he will make a statement on the matter. [6607/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2009 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 30 April 2009. Under the provisions of the governing EU Regulations, payments under these Schemes may be made only in respect of eligible land and applicants are obliged annually to only declare eligible lands available to them. While the person named was initially paid on a declared eligible area of 16.79 hectares, following a review of the commonage area declared, an ineligible area was identified and removed from the overall claimed area. The person named was written to and informed of this finding. Payment was subsequently recalculated on the amended eligible area.

341. **Deputy John Browne** asked the Minister for Agriculture, Fisheries and Food when arrears of single farm payment will issue in respect of a person (details supplied) in County Wexford. [6617/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): My Department received an application on 1 February 2011 to transfer 81.01 Single Payment entitlements, into the joint names of the person named and another farmer. While the closing date for submission of transfer applications for the 2010 Scheme year was 17 May 2010, this application was accepted as it involved a change to the registration details of the herd number only.

The entitlements were transferred on the 16th March 2011 and the 2010 Single Payment issued on 24 March 2011. Disadvantaged Areas Scheme payments issued to the applicant on 3 November 2010 and 17 November 2010 respectively.

342. **Deputy John Browne** asked the Minister for Agriculture, Fisheries and Food when the full amount of single farm payments will issue in respect of a person (details supplied) in County Wexford. [6618/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2010 Single Payment Scheme was received from the person named on 13 May 2010. Payments under the 2010 Single Payment Scheme commenced nationally on 18 October 2010. The person named submitted an application with 14 land parcels, one of which required re-digitisation. Full payment under the Single Payment Scheme was issued to the applicant on 6 December 2010.

Rural Environment Protection Scheme

343. **Deputy Tom Hayes** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied) in County Tipperary under the REP scheme. [6621/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 on 1st June 2009 and received his year 1 payment in March 2010. An adjusted plan was requested by letter dated November 2010 but to-date no plan has been received by my Department. The year 2 payment cannot be processed until it is submitted.

Grant Payments

344. **Deputy John Browne** asked the Minister for Agriculture, Fisheries and Food when single farm payment will issue to a person (details supplied) in County Wexford. [6626/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2010 Single Payment Scheme was received from the person named on 13 May 2010. Payments under the 2010 Single Payment Scheme commenced nationally on 18 October 2010. The person named submitted an application with two land parcels, which required re-digitisation. Payments under the Single Payment Scheme were issued to the applicant on 8 December 2010 and 10 February 2011 respectively.

Departmental Schemes

345. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Fisheries and Food his plans to open and fund the agri-environment options scheme for farmers for 2011. [6642/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I am currently concluding a review of last year's scheme, on the basis of which, and subject to the expenditure ceilings set out in the National Recovery Plan 2011-2014, I will very shortly make an announcement in relation to the position for 2011.

Fisheries Protection

346. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food if he will help fishermen by reducing the size of the crawfish they are allowed to catch from 110 mm to 90 mm in line with the rest of Europe; and if he will make a statement on the matter. [6691/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms specified that crawfish of less

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than 110 mm may not be retained on board or be transhipped, landed, transported, stored, sold, displayed or offered for sale, but shall be returned immediately to the sea. This so-called “minimum landing size” (MLS) was reduced by Council Regulation 724/2001 to 95 mm in 2001.

Ireland was supportive of the original MLS of 110 mm as it helped protect the reproductive potential of the crawfish stock, which had been in a sustained and steep decline in Ireland since 1990. In 1998, the Irish lobster Association Society Limited wrote to the then Minister for the Marine and Natural Resources requesting that a MLS of 100 mm be introduced in Irish law in order to assist in halting the serious decline in crawfish stocks and as a transitional measure towards the EU MLS of 110 mm, which was due to take effect from 1 January 2000. The Association stated that landings of crawfish were so small that it was imperative that a minimum size be introduced and advised that such a measure had the support of all lobster fishermen. Lobster fishermen commonly target both lobster and crawfish. The industry request was accepted by the Minister and signed into law in 1999 through the Crawfish (Conservation of Stocks) Order 1999 (S.I. No. 244 of 1999).

Council Regulation 724/2001 lowering the MLS to 95 mm took effect from 2 May 2001. My Department and the Marine Institute were opposed at that time to the lowering of the MLS and advised that it offered no conservation protection for the species, which was suffering from severe over-fishing, primarily because of the use of tangle nets. It was felt that Ireland should introduce national measures to restore the MLS to 110 mm. It was noted at the time that the industry agreed with such a measure. The proposal was accepted by the Minister and signed into law in 2001 through the Crawfish (Conservation of Stocks) Order 2001 (S.I. No. 322 of 2001). This was possible as Council Regulation 850/98 allowed Member States to enact national measures for the conservation and management of stocks going beyond the minimum requirements laid down in the Regulation, provided that the national measures applied solely to the Member State’s vessels.

While the EU Regulation requires a minimum MLS of 95 mm, I am aware that Member States have enacted various national MLS limits above that figure, so Ireland is not unique in taking such conservation measures. However, I am conscious that continental markets have a preference for smaller crawfish and that this is presenting difficulties for Irish fishermen in maximising the economic return from their catch. In that context, I am examining the matter.

Departmental Schemes

347. **Deputy Patrick O’Donovan** asked the Minister for Agriculture, Fisheries and Food when persons (details supplied) in County Limerick may expect to receive payment under the suckler welfare scheme. [6739/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application to participate in the Suckler Welfare Scheme was submitted by one of the persons named on 4 January 2008. The herd number was subsequently registered in the names of the two persons named on 7 July 2010. It is necessary, therefore, for the new registered herd owners to apply to participate in the above Scheme. My Department has today issued the necessary documentation for completion, and upon receipt of same, the change of ownership will be processed and payment will be effected, provided that all of the Terms and Conditions of the Scheme have been complied with by the applicants.

Departmental Agencies

348. **Deputy Olivia Mitchell** asked the Minister for Agriculture, Fisheries and Food the number of agencies, authorities and other bodies coming within his Department’s remit that

operate independent payroll systems and the reason such a function could not be provided by his Department. [6794/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): There are currently 12 State Agencies/ Bodies that fall under this Department's remit and all have independent payroll systems, some of which are required under a statutory basis.

However, the feasibility of my Department providing payroll services for these State Agencies/ Bodies is currently being examined.

National Drugs Strategy

349. **Deputy Joan Collins** asked the Minister for Community, Equality and Gaeltacht Affairs her views on correspondence sent by a group (details supplied) to her office on 29 March 2011; the action she will take to restore its departmental funding; and if she will meet the group as requested. [6750/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): Each Local Drugs Task Force (LDTF) has an annual funding allocation from my Department for community-based drugs initiatives. From that allocation, each Task Force has the discretion to allocate funding to projects and initiatives based on the priorities it has identified for its respective area. Funding for these projects is channelled through a designated Department or State Agency.

I am advised that, in January 2001, following an evaluation of projects under Round 1 interim funding, project funding for three part-time community development worker posts in the communities referred to by the Deputy was mainstreamed to the Department of the Environment, Heritage and Local Government, which was then responsible for the continued funding of this service. However, in April 2001, under Round 2, Phase 1, additional funding was approved to increase the level of service provided by these community development workers by the creation of full-time posts. The channel of funding for the project was Dublin City Council. However, in May 2005 the additional funding under Round 2 was discontinued by the former National Drugs Strategy Team (NDST), which managed the funding at that time, on the basis that the funding had not been drawn down. The Canal Communities LDTF then submitted proposals, which were accepted by the NDST, to re-allocate this funding to other measures. Dublin City Council continued to fund the full-time posts until December 2010. The Council has recently indicated that this practice will not continue in 2011.

Accordingly, it is a matter for the Task Force to consider, having regard to current priorities, whether to make provision for this project in the context of its 2011 allocation.

Offshore Islands

350. **Deputy Noel Harrington** asked the Minister for Community, Equality and Gaeltacht Affairs if she will assign responsibility for all issues involving the islands to one Minister and if so which Minister; and if she will make a statement on the matter. [6769/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): The development of vibrant island communities is an important policy objective of my Department. In this context, my Department supports the well-being of island communities through a range of interventions which assist the social and economic development of island communities, particularly in relation to improving sustainability. Enhancing the quality of life of such communities and providing adequate access to essential services are prerequisites to ensuring their future viability. Responsibility for the islands remains in the Department of Community,

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Equality and Gaeltacht Affairs, pending a final decision by Government on its relocation in the context of the ongoing re-allocation of functions between Departments on foot of the announcement by the Taoiseach in this House on 9 March 2011.

Scéimeanna Caipitil Gaeltachta

351. D'fhiafraigh **Éamon Ó Cuív** den tAire Gnóthaí Pobail, Comhionannais agus Gaeltachta cad é méid iomlán na ngealltanais atá ann faoi na Scéimeanna Caipitil Gaeltachta (E1), cé mhéad acu seo a mheastar a thiocfaidh aibí i mbliana; agus an ndéanfaidh sí ráiteas ina thaobh. [6689/11]

Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Dinny McGinley): Léiríonn an tábla thíos méid iomlán na ngealltanais faoi na Scéimeanna Caipitil Gaeltachta (E1). Os rud é go bhfuil na deontais seo ceadaithe do dhaoine aonair, do choistí pobail agus d'údaráis áitiúla, tuigfidh an Teachta gur deacair a rá go cinnte cé mhéid acu a thiocfaidh in aibíochta i mbliana. Táthar muiníneach, áfach, go mbeidh a dhóthain airgid ar fáil i Vóta mo Roinne-se faoi na scéimeanna seo chun na dliteanais reatha a thiocfaidh chun cinn i mbliana a íoc.

Scéimeanna Caipitil Gaeltachta (E1)

	€
E1.1	1,285,994
E1.2	2,254,356
E1.3	153,258
E1.4	90,562
E1.5	290,457
Iomlán	4,074,627

Tograí Caipitil

352. D'fhiafraigh **Éamon Ó Cuív** den tAire Gnóthaí Pobail, Comhionannais agus Gaeltachta cén cead atá aige ón Roinn Airgeadais tograí caipitil a cheadú bunaithe ar allúntas na bliana agus céatadán den allúntas seo do na blianta atá le teacht; agus an ndéanfaidh sí ráiteas ina thaobh. [6690/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): Is é€86 milliún leithdháileadh caipitil na Roinne Gnóthaí Pobail, Comhionannais agus Gaeltachta don bhliain 2011. Mar is eol don Teachta, ar bhonn athstruchtúru na Ranna Rialtais a d'fhógair an Taoiseach an mhí seo caite, táthar chun deireadh a chur leis an Roinn sin agus a cuid feidhmeanna agus buiséid a aistriú chuig Ranna éagsúla eile. Dá réir sin, is faoin Roinn Airgeadais agus na Ranna sin a ndéanfar na feidhmeanna éagsúla a aistriú chucu a bheith sé teorainneacha ceadaithe an leithdháilte caipitil a bhreithniú don bhliain 2011 agus do na blianta dar gcionn.

Departmental Agencies

353. **Deputy Olivia Mitchell** asked the Minister for Community, Equality and Gaeltacht Affairs the number of agencies, authorities and other bodies coming within her Department's remit that operate independent payroll systems and the reason such a function could not be provided by her Department. [6796/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): The following statutory agencies that are under my Department's remit at present operate independent payroll systems:

- Údarás na Gaeltachta;
- Waterways Ireland;
- An Foras Teanga; and
- The Western Development Commission.

As the Deputy will be aware, on foot of the restructuring of Government Departments announced by the Taoiseach last month, the Department of Community, Equality and Gaeltacht Affairs is in the process of being abolished, with its functions being redistributed to several other Departments.

The question of whether the payroll systems for these agencies could be provided centrally will, therefore, be a matter for the Departments receiving the relevant functions to consider. For the sake of completeness, I should add that bodies within my Department's ambit that have been operating their payroll systems within 'shared services' arrangements in the recent past include the Commissioners of Charitable Donations and Bequests, An Coimisinéir Teanga, the Equality Authority and the Equality Tribunal. In addition, my own Department's payroll has been operating from the Department of Finance shared service centre in Tullamore.

Forbairt Pobail

354. D'fhiafraigh **Éamon Ó Cuív** den tAire Gnóthaí Pobail, Comhionannais agus Gaeltachta an raibh aon chomhráití aige leis an Aire Stáit atá freagrach as an gClár NewERA féachaint le hairgead riachtanach bunstruchtúir a fháil do na ceantair CLÁR, RAPID, Ghaeltachta agus Oileánda, agus má bhí, cén toradh a bhí ar na comhráití sin; agus an ndéanfaidh sí ráiteas ina thaobh. [6854/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): Mar is eol don Teachta, tá na feidhmeanna a ndéantar tagairt dóibh sa Cheist seo á n-aistriú go dtí Ranna eile i láthair na huaire, faoi réir fhógra an Taoisigh sa Teach seo ar 9 Márta 2011. Táthar ag súil go n-aistreofar na feidhmeanna sin chuig Ranna eile go luath agus glacaim leis go ndéanfar breithniú an uair sin ar an tsaincheist sin agus ar na saincheisteanna eile atáábhartha do na feidhmeanna sin.

Health Services

355. **Deputy Brendan Griffin** asked the Minister for Health and Children if mobility allowance will be reinstated in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [6447/11]

Minister for Health and Children (Deputy James Reilly): 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.

Alcohol Prices

356. **Deputy Niall Collins** asked the Minister for Health and Children his plans to introduce a minimum price per unit of alcohol for sale from supermarkets, shops and off-licences; and if he will make a statement on the matter. [6686/11]

Minister for Health and Children (Deputy James Reilly): The introduction of a minimum price per unit of alcohol is just one of the many issues being discussed by the Steering Group developing the National Substance Misuse Strategy (NSMS). The Steering Group was established in December 2009 to develop the alcohol element of the National Substance Misuse Strategy. It will base its recommendations on evidence based measures to deal with the significant public health issue of alcohol in areas such as supply (including price, availability and marketing), prevention, treatment and rehabilitation. I expect to receive the Report of the Steering Group later this year.

Hospital Services

357. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if he will request the Health Service Executive to expedite an essential surgical procedure in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6349/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

358. **Deputy Dominic Hannigan** asked the Minister for Health and Children his views regarding general practitioners who are operating under the general medical service scheme charging medical cardholders for blood tests; his plans to ensure that they are not charged; and if he will make a statement on the matter. [6353/11]

Minister for Health and Children (Deputy James Reilly): Under the General Medical Services (GMS) contract, a general practitioner (GP) is expected to provide his/her patients who hold medical cards or GP visit cards with all proper and necessary treatment of a kind generally undertaken by a GP. Where blood tests form part of the investigation and necessary treatment of patients symptoms or conditions, these should be provided free of charge to medical card and GP visit card holders. The HSE also points out that, in many GP surgeries, it is the practice nurse who takes blood samples. The HSE significantly subsidises the cost of employing practice nurses.

If the HSE is made aware of specific cases where GMS patients are being charged by GP contractors, it will arrange to have such cases investigated as appropriate.

Health Services

359. **Deputy John O'Mahony** asked the Minister for Health and Children the assistance available to a person (details supplied) in County Mayo; and if he will make a statement on the matter. [6358/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Medical Cards

360. **Deputy Catherine Murphy** asked the Minister for Health and Children if he will amend the rules as they relate to the long-term illness scheme which ceases to apply when an individual qualifies for a medical card; the reason the rule is in place; and if he will make a statement on the matter. [6363/11]

Minister for Health and Children (Deputy James Reilly): Clinical best practice dictates that patients on ongoing medication should have regular contact with their general practitioner (GP). It is for this reason that the Medicinal Products (Prescription and Control of Supply) Regulations 2003-2009 provide that prescriptions for medicines are not valid for more than six months. This is the rule that applies in the case of the Long Term Illness Scheme. In the case of the GMS (medical card) scheme, prescriptions are not valid for more than three months. This is designed to ensure regular reviews by GPs of their patient's medications. As GPs participating in the GMS scheme are paid on a capitation basis, this practice does not give rise to additional costs for the HSE.

There are no proposals to change the current rules.

Health Services

361. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding transport costs in respect of a person (details supplied) in Dublin 3. [6376/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

362. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if general practitioners are entitled to charge a fee for out of hours calls for patients with medical cards or GP only medical cards; and if he will make a statement on the matter. [6382/11]

Minister for Health and Children (Deputy James Reilly): Under the General Medical Services (GMS) Scheme contract, general practitioners (GPs) are obliged to provide services for their medical card and GP visit card patients, for 40 hours each week. They must also make arrangements to enable contact to be made with them, or a locum/deputy, for urgent attention outside of these hours. GPs are not entitled to demand or accept any payment or consideration from medical card and GP visit card patients, in reward for services provided under the contract. This includes out of hours consultations.

If the Health Service Executive is made aware of specific cases where GMS patients are being charged by GP contractors for services provided under the GMS contract, it will arrange to have such cases investigated as appropriate.

Special Educational Needs

363. **Deputy Terence Flanagan** asked the Minister for Health and Children if he will meet with an organisation (details supplied) in relation to their proposal on the education of children with autism; and if he will make a statement on the matter. [6390/11]

Minister for Health and Children (Deputy James Reilly): Matters relating to the education of children, including those with autism is the responsibility of the Minister for Education and Skills and therefore it would be more appropriate for that Minister to consider the proposal from Achieve ABA in the first instance.

Hospital Services

364. **Deputy Terence Flanagan** asked the Minister for Health and Children the position regarding St. Luke's cancer hospital, Rathgar, Dublin 6 (details supplied); and if he will make a statement on the matter. [6391/11]

386. **Deputy Peter Mathews** asked the Minister for Health and Children his plans to retain St. Luke's Hospital, Rathgar, Dublin 6; and if he will make a statement on the matter. [6501/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 364 and 386 together.

St. Luke's Hospital, which provides only radiation oncology services, was subsumed into the Health Service Executive under the Health (Miscellaneous Provisions) Act 2010 (No. 18 of 2010). The existing radiotherapy centre at St. Luke's, plus the new centres at Beaumont and St. James's Hospitals, have together become the St. Luke's Radiation Oncology Network, with some staff and resources now transferred from St. Luke's to the new centres. The first patients were seen at Beaumont on 28 March, while St. James's is due to begin seeing patients on 11 April.

The development of the St. Luke's Radiation Oncology Network increases capacity for radiation oncology patients by 50% in 2011 over what has previously been available in St. Luke's Hospital. Treatment will be available at all three sites and, using a central referral process, patients will be offered the next available treatment slot which will factor in the location of the patient and any specific clinical requirements.

Radiation oncology services will continue at St. Luke's until at least 2015, when further radiation oncology capacity will be available at Beaumont and St. James's. A firm commitment is given in legislation that the HSE must continue to use the St. Luke's site for the provision of health services. In addition, the legislation states that the HSE may not sell or dispose of St. Luke's or any land on the site, without the consent of the Minister.

Health Services

365. **Deputy Pat Breen** asked the Minister for Health and Children further to Parliamentary Question No. 86 of 14 October 2010, the position regarding an application in respect of a person (details supplied) in County Clare; and if he will make a statement on the matter. [6396/11]

Minister for Health and Children (Deputy James Reilly): The HSE replied to the Deputy on foot of the previous Parliamentary Question in a letter dated 11th October, 2010.

As this is a service matter it has again been referred to the HSE for an update and direct reply.

366. **Deputy Jack Wall** asked the Minister for Health and Children if a person (details supplied) will be given an appointment with the Kildare-west Wicklow child and adolescent services on foot of a report; and if he will make a statement on the matter. [6399/11]

Minister for Health and Children (Deputy James Reilly): As the Deputy's question relates to service matters, I have referred this question to the Health Service Executive for direct reply.

Proposed Legislation

367. **Deputy Terence Flanagan** asked the Minister for Health and Children if he will advise when he will be passing into law a Bill in regard to surrogacy (details supplied); and if he will make a statement on the matter. [6401/11]

Minister for Health and Children (Deputy James Reilly): My Department is developing policy proposals to regulate the area of Assisted Human Reproduction (AHR) with the intention of finalising them this year. These proposals will form the basis of legislation in the area of AHR and related practices, and are subject to Government approval. If and when Government

approval is obtained, it will take a considerable period of time before the enactment of legislation, as the process would then involve the drafting of a Bill and its passage through the Houses of the Oireachtas in the usual way.

Health Services

368. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason the Health Service Executive has reneged on its February 2009 agreement to provide funding in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6404/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

369. **Deputy Tom Hayes** asked the Minister for Health and Children when payment will issue to a person (details supplied) in County Tipperary. [6406/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

370. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a person (details supplied) in County Kilkenny will receive an operation. [6418/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Hospitals Building Programme

371. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health and Children if he will ensure that all subcontractors owed money from works at the extension to Letterkenny General Hospital, County Donegal, are immediately reimbursed and that the same subcontractors are allowed to complete the works as part of any new tender process. [6420/11]

Minister for Health and Children (Deputy James Reilly): The management and delivery of the health capital programme is a service matter. Therefore your question has been referred to the Health Executive for direct reply.

Accident and Emergency Services

372. **Deputy Gerry Adams** asked the Minister for Health and Children if he will reinstate accident and emergency services, acute medical beds and intensive care unit at Louth county hospital, Dundalk; if he will meet with a group (details supplied); and if he will make a statement on the matter. [6448/11]

Minister for Health and Children (Deputy James Reilly): In recent years the HSE has been working to reorganise services in the Louth / Meath Hospital Group and Louth County Hospital has continued to play an important and expanding role in the provision of health services in the North East region, with a particular focus on diagnostic and day services. A minor injuries unit and additional ambulance services were put in place to support the plan. Stroke rehabilitation, day surgical, day medical, step down services, gynaecology and radiology services remain in Louth County. In addition, the care of the elderly service has transferred to

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the hospital from Drogheda. General and orthopaedic rehabilitation services are currently being developed in Dundalk.

A dedicated Venesection service has been established and a new Colposcopy Unit has been opened at the hospital. Louth County Hospital has also been selected by the National Cancer Screening Service (NCSS) as one of the 15 candidate screening colonoscopy units to provide the colonoscopy requirements for the colorectal cancer screening programme.

It is important to stress that patient safety has been central to all decisions taken regarding the operation of health services in the region as well as nationally.

I am committed to ensuring that acute hospital services at national, regional and local level are provided in a clinically appropriate and efficient manner. In particular I want to ensure that as many services as possible can be provided safely in smaller, local hospitals. In order to fully consider the issues involved, I am being briefed by my Department and the Health Service Executive (HSE) on the organisation of acute services in each region and on the important clinical programmes being developed by the HSE. Consequently it is not appropriate for me to meet with the group referred to by the Deputy at this time.

373. **Deputy Gerry Adams** asked the Minister for Health and Children the cost of transferring the 24-hour accident and emergency department from Louth county hospital, Dundalk to Our Lady of Lourdes Hospital, Drogheda; and if he will make a statement on the matter. [6449/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Health Service Staff

374. **Deputy Gerry Adams** asked the Minister for Health and Children the number of staff and their cost at all levels and grades employed in the minor injuries unit in Louth county hospital, Dundalk; and if he will make a statement on the matter. [6450/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

375. **Deputy Gerry Adams** asked the Minister for Health and Children the effect of the recruitment ban in the Health Service Executive on the acute hospital services and community health services in County Louth; if any surgery has been cancelled as a result of staff shortages; and if he will make a statement on the matter. [6451/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

376. **Deputy Gerry Adams** asked the Minister for Health and Children if his attention has been drawn to any shortage of anaesthetists staff; if he will make a commitment to employ extra staff and not redeploy from one hospital to another, leading to a loss of service; and if he will make a statement on the matter. [6452/11]

Minister for Health and Children (Deputy James Reilly): The Health Service Executive (HSE) has advised my Department that approximately 150 of 4,638 Non Consultant Hospital Doctor (NCHD) posts are vacant and that some vacancies exist in anaesthetics. The moratorium on public sector recruitment is not a factor in these NCHD vacancies. The moratorium does not apply to NCHDs and in addition allows for the recruitment of one consultant for

every two NCHD posts that are suppressed. Other countries are also experiencing difficulties in recruiting NCHDs at present.

The HSE has developed a range of strategies and initiatives to maximise recruitment. It has advised that a recruitment process is currently in progress for the July 2011 intake of NCHDs. It is currently organising an additional overseas recruitment campaign in India and Pakistan.

In relation to redeployment it is appropriate that resources are shared, moved and redeployed across hospital groups to meet service demands, mitigate against risk and improve the patient's experience. Local management teams have the flexibility to move local resources to best meet patient need. This does not reduce the services available to the population of the area served.

The Louth Meath Hospital Group (LMHG) had a significant shortage of junior hospital doctors in Anaesthesia in July 2010. During 2010 the LMHG undertook extensive recruitment abroad to address the shortfall. Currently the Hospital group has 14 registrar positions all of which are filled by suitably qualified staff. In addition approval for seven additional Anaesthetic NCHDs has been received to extend the provision of On Call to a third layer of Registrars. Currently 2 Registrars and a Consultant provide on call out of hours, this third layer is in line with recommendations from a previous review of Anaesthesia. In addition, the group have been working closely with the College of Anaesthetists to increase the number of accredited teaching posts to attract a high calibre of doctors to these posts.

The Louth Meath Hospital group is comprised of one hospital, operating across three sites. It is appropriate that resources are shared, moved and redeployed across the group to meet service demands, mitigate against risk and improve our patient's experience.

Hospital Accommodation

377. **Deputy Gerry Adams** asked the Minister for Health and Children if his attention has been drawn to the fact that medical beds in Louth county hospital which were not in use due to the 2010 closure of services have been removed from the hospital; if his further attention has been drawn to the fact that the Health Service Executive management consented to the removal of these beds and that they are no longer available for use by the HSE; and if he will make a statement on the matter. [6453/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Health Service Staff

378. **Deputy Gerry Adams** asked the Minister for Health and Children if his attention has been drawn to the fact that canteen facilities for staff in Louth county hospital have been reduced; if he is satisfied that staff working in the hospital deserve a proper catering service as they work long shifts; and if he will make a statement on the matter. [6454/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Health Service Inquiries

379. **Deputy Gerry Adams** asked the Minister for Health and Children his plans to establish an independent inquiry into the practise of symphysiotomy which was carried out on women in this State until the early 1980s; and if he will make a statement on the matter. [6455/11]

Minister for Health and Children (Deputy James Reilly): My predecessor asked the Institute of Obstetricians and Gynaecologists to prepare a report concerning the practice of symphysiotomy in Ireland which would:

- provide the Institute's assessment of the circumstances in which symphysiotomy was carried out in Irish obstetric units;
- indicate what protocols or guidance existed over the years to guide professional practice; and
- specify when the practice changed and why it changed at that time in Ireland.

I understand that the Institute sought to make arrangements for the review to be carried out by an external team and that, unfortunately, it was not possible to progress this in the way originally proposed. I also understand that efforts are progressing to put in place alternative arrangements with an independent academic researcher and my Department is in consultation with the Institute in this regard.

The HSE has assured my Department that it will continue to monitor and oversee the provision of necessary support services for women. In doing so the HSE is committed to being proactive in seeking out and offering help to women who had symphysiotomies and who may wish to avail of the services offered by the HSE.

Medical Cards

380. **Deputy Brendan Griffin** asked the Minister for Health and Children when a decision will issue on an appeal for a medical card in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [6462/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

381. **Deputy Joe McHugh** asked the Minister for Health and Children if he and the Health Service Executive will make an appointment (details supplied); if he will provide an indicative timeframe; and if he will make a statement on the matter. [6472/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

382. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6475/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Community Care

383. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 103 of 20 January 2011 when a reply will issue; and if he will make a statement on the matter. [6479/11]

Minister for Health and Children (Deputy James Reilly): The Health Service Executive is in the process of pursuing outstanding replies from Regional Offices and expects to be in a position to reply shortly.

Long-Term Illness Scheme

384. **Deputy Peter Mathews** asked the Minister for Health and Children his plans to include spinal cord injury in the long-term illness scheme in recognition that sufferers require specialised equipment such as wheelchairs, mattresses, cushions and day to day medical items; and if he will make a statement on the matter. [6484/11]

399. **Deputy Peter Mathews** asked the Minister for Health and Children his plans to update the list of long-term illnesses eligible for a medical card for the first time in thirty years; if he will include Long Segment Hirschsprung Disease as a long-term illness; and if he will make a statement on the matter. [6560/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 384 and 399 together.

There are no plans to extend the list of eligible conditions covered by the Long Term Illness Scheme.

Under the Drugs Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Departmental Reports

385. **Deputy Peter Mathews** asked the Minister for Health and Children his plans to make a start on the implementation of the 2001 Government task force report on autism; and if he will make a statement on the matter. [6490/11]

Minister for Health and Children (Deputy James Reilly): The Department of Education and Skills published this Report in 2001 which made a series of recommendations in relation to policy and practice concerning educational approaches to meeting the needs of children with autism. Therefore the Minister for Education and Skills will be able to assist the Deputy in seeking a response to this question.

Question No. 386 answered with Question No. 364.

Mental Health Services

387. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children his plans to ensure there is effective accountability and transparency in the planning and financing of A Vision for Change. [6503/11]

390. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children with regard to the commitment in the programme for Government to establish a cross-departmental group

[Deputy Caoimhghín Ó Caoláin.]

on mental health; the remit of this group; the Departments that will be included; the frequency with which it will meet; and if it will report publicly on its work. [6506/11]

391. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if the €35 million promised in the programme for Government to be ring-fenced for the development of community mental health teams is new money or to be sourced from within the existing mental health budget and the arrangements that will be put in place to ensure this money will be spent as promised. [6507/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 387, 390 and 391 together.

The Programme for Government makes a number of commitments in relation to mental health and I am currently engaged in discussions with my officials with a view to delivering progress as early as possible.

388. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the progress made to date to review the Mental Health Act 2001; if the terms of reference for the review have been drafted and will be made public; and the plans that are in place to consult with stakeholders. [6504/11]

389. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if, in view of the forthcoming review of the Mental health Act 2001, he still intends to consider further provisions in relation to community based mental health services. [6505/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Question Nos. 388 and 389 together.

The Government is committed to a review of the Mental Health Act 2001, which will be informed by human rights standards. My officials have begun to scope out the review and draft terms of reference will be submitted to me as early as possible; it is likely that a small working group will be appointed to oversee the review of the Act. My officials are currently engaged in discussions with the Health Research Board in relation to the availability of international evidence on a human right based approach to mental health legislation and in relation to the efficacy of community treatment orders. I can assure the Deputy that a wide ranging public consultation will be undertaken where we will seek the views of the public and relevant interested groups/parties. The open consultation will of course be advertised in the Press.

Questions Nos. 390 and 391 answered with Question No. 387.

Departmental Funding

392. **Deputy Peter Mathews** asked the Minister for Health and Children if his attention has been drawn to the fact an organisation (details supplied) currently does not receive any State funding; his plans to provide funding to the organisation; and if he will make a statement on the matter. [6515/11]

Minister for Health and Children (Deputy James Reilly): Parkinson's Association of Ireland is a charity with branches throughout the country which offers support and information to people living with Parkinson's their carers and families.

The Parkinson's Association is a member of the Neurological Alliance of Ireland and the Disability Federation of Ireland. Both umbrella organisations provide support to the Parkinson's Association and are supported by the State through funding from the Health Service Executive.

While in the current economic climate it is not possible to provide additional funding for charities, it is open to the Parkinson's Association to apply to my Department under the National Lottery Grant Scheme which provides once off grants to national organisations providing information and support for various specific interest groups. Details are on my Department's web site, www.dohc.ie

Medical Aids and Appliances

393. **Deputy Michael Creed** asked the Minister for Health and Children the reason for the delay in issuing a medical appliance to a person (details supplied) in County Cork with a medical card; and if he will make a statement on the matter. [6526/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

394. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children when a person (details supplied) in County Sligo will receive surgery; and if this will be expedited. [6531/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply

Nursing Homes Repayment Scheme

395. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children his plans to extend the nursing home repayment scheme to medical card holders who were in private care homes; and if he will make a statement on the matter. [6532/11]

Minister for Health and Children (Deputy James Reilly): The nursing home repayments scheme is a statutory scheme which was established on foot of the Health (Repayments Scheme) Act 2006. It provided for the repayment of "recoverable health charges" — essentially charges which were imposed in respect of public nursing home care — and has expired at this stage — the closing date for receipt of applications under the scheme was 31 December 2007.

Medical Cards

396. **Deputy Terence Flanagan** asked the Minister for Health and Children if he will deal with a matter (details supplied) regarding the over 70 years medical card; and if he will make a statement on the matter. [6534/11]

Minister for Health and Children (Deputy James Reilly): Under the Health Act 2008, a simplified system of assessment for eligibility was introduced in respect of persons aged 70 or over, based on significantly higher gross income thresholds rather than the standard net income limits. The gross income thresholds are €700 per week for a single person and €1,400 for a couple, as against net income limits of €210.50 for a single person and €298 for a couple.

Hospital Procedures

397. **Deputy Bernard J. Durkan** asked the Minister for Health and Children when a necessary surgical procedure will be offered in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6536/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

398. **Deputy Paul J. Connaughton** asked the Minister for Health and Children when over an 70 years medical card will issue in respect of a person (details supplied) in County Galway; and if he will make a statement on the matter. [6544/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Question No. 399 answered with Question No. 384

Drugs Payment Scheme

400. **Deputy Terence Flanagan** asked the Minister for Health and Children if he will deal with the following matter (details supplied) regarding the drugs payment scheme; and if he will make a statement on the matter. [6561/11]

Minister for Health and Children (Deputy James Reilly): There are no plans to change the current terms of the drugs payment scheme. Under the scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme is easy to use and significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

Hospital Waiting Lists

401. **Deputy Michael McGrath** asked the Minister for Health and Children if he will provide certain information regarding public hospital waiting lists (details supplied). [6604/11]

402. **Deputy Michael McGrath** asked the Minister for Health and Children if he will provide certain information regarding public hospital waiting lists for surgery (details supplied). [6605/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 401 and 402 together.

The management of waiting lists generally is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply.

Medical Cards

403. **Deputy Emmet Stagg** asked the Minister for Health and Children the reason for the delay in issuing a medical card to a person (details supplied). [6620/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Departmental Funding

404. **Deputy Gerry Adams** asked the Minister for Health and Children when a decision is expected in regard to funding for an organisation (details supplied); the timeframe for the adjudication of this decision; the criteria used to award funding; if his attention has been drawn

to the fact that the group support over 250 persons through their services but has not received funding since the end of 2010; and if he will make a statement on the matter. [6672/11]

424. **Deputy Gerald Nash** asked the Minister for Health and Children if he will make funding available to an organisation (details supplied); and if he will make a statement on the matter. [6820/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 404 and 424 together.

My Department has a National Lottery discretionary fund in place which provides once-off grants to community groups and organisations, providing a range of health related services. The assessment of applications is informed by the fact that these grants are discretionary ‘once off’ funding. Applications come primarily from community groups and voluntary organisations with an involvement in the provision of health services to specific client groups (for example persons with an intellectual disability and/or physical disability, elderly, etc.), national groups providing information and support for various disabilities and illnesses and groups with a specific interest (for example equipment for hospitals, mini-buses, homes, etc.).

Applications for funding are generally accepted throughout the year. My Department assesses, evaluates and makes a recommendation in respect of the proposed project in consultation with the Health Service Executive. I then consider all applications along with the Department’s recommendations. In 2010, a grant of almost €172,000 was approved from the Department’s allocation of National Lottery funds to Dignity 4 Patients. This was given towards the cost of providing information and support to victims of abuse wishing to attend the Drogheda Review. This independent review was established by the then Minister for Health and Children to advise on whether any additional information or insights were likely to be achieved from a further full investigation. A former High Court Judge, Mr. TC Smyth, was appointed chair of this Review.

This report recommended that a further investigation should not be held and that, in order to avoid prejudicing any civil or criminal cases, the report should not be published. The Attorney General concurred with this advice but agreed that a short summary of the report could be prepared and published. Accordingly the Department, in consultation with the Attorney General and Judge Smyth, prepared a summary which was sent for information to two patient support groups, including Dignity 4 Patients, in January 2011.

An application for funding for the current year has been received by my Department from Dignity 4 Patients. The HSE has also received an application for funding. I am considering the application to my Department having regard to the services that the HSE already provides for victims of abuse. It is most important that any services supported by Departmental funding are fully compatible and supportive of similar services provided by the HSE. I will consider Dignity 4 Patients’ request with that in mind.

It is also very important to ensure that appropriate counselling is available to all those who wish to avail of it. Both I and the HSE are anxious that all former patients of the consultant are made aware of the free counselling support that is available. Persons affected by these issues, but who do not wish to avail of counselling can also speak with a psychologist or counsellor in confidence. The need for additional support will be continuously monitored by the HSE.

The HSE has assigned co-ordinating responsibility for these matters to the Regional Manager for Consumer Affairs in the North East who will continue to liaise as required with former patients and support groups. I will respond to Dignity 4 Patients’ application as soon as possible, when I have had an opportunity to examine the matter fully.

Health Services

405. **Deputy Gerry Adams** asked the Minister for Health and Children the services provided by the Health Service Executive for victims of abuse; if he will provide, on a county basis, the numbers of persons who have availed of these services over the past five years; the co-ordination the HSE undertakes with other support groups in terms of the provision of services; and if he will make a statement on the matter. [6673/11]

406. **Deputy Gerry Adams** asked the Minister for Health and Children the services provided by the Health Service Executive for victims of abuse; if there are waiting lists for these services; the length of these waiting lists; if he will provide, on a county basis, the numbers of persons who have availed of these services over the past ten years; and if he will make a statement on the matter. [6674/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 405 and 406 together.

As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

407. **Deputy Terence Flanagan** asked the Minister for Health and Children the position regarding administration panels (details supplied); and if he will make a statement on the matter. [6679/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Medical Cards

408. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6680/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Drugs Payment Scheme

409. **Deputy John O'Mahony** asked the Minister for Health and Children when a person (details supplied) will receive payment under the drugs repayment scheme. [6695/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Disabled Drivers

410. **Deputy Patrick O'Donovan** asked the Minister for Health and Children if a person (details supplied) in County Limerick will qualify for a concession under the disabled drivers scheme; and if he will make a statement on the matter. [6735/11]

Minister for Health and Children (Deputy James Reilly): 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.

Medical Cards

411. **Deputy Patrick O'Donovan** asked the Minister for Health and Children the reason the medical card withdrawn in respect of a person (details supplied) in County Limerick. [6738/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

412. **Deputy Seán Kenny** asked the Minister for Health and Children his plans to provide a helipad at Beaumont Hospital, Dublin. [6743/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Long-Term Illness Scheme

413. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding the long-term illness scheme as raised in correspondence by a person (details supplied) in County Cork. [6752/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Departmental Funding

414. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if he will make funding available, as a matter of priority, to reopen Wicklow General Hospital; and if he will make a statement on the matter. [6753/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Nursing Home Repayment Scheme

415. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an issue raised in correspondence from a person (details supplied) in Cork city. [6756/11]

Minister for Health and Children (Deputy James Reilly): The Health Repayment Scheme Appeals Office is an independent office established to provide an appeals service to those who wish to appeal the decision of the scheme administrator under the Health (Repayment Scheme) Act 2006. The claimant lodged an appeal with the Health Repayment Scheme Appeals Office on 25 August 2009. The appeals officer continues to investigate the appeal. As part of these investigations the appeals officer has been liaising with the HSE. The appeals officer wrote to the claimant on 11 March 2011 to update her on his on-going investigations. When the appeals officer has made a determination on the appeal he will write to the claimant and will provide the claimant with the reasons for the decision.

Medical Cards

416. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6777/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

417. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [6778/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Staff

418. **Deputy Jack Wall** asked the Minister for Health and Children the reason a person (details supplied) in County Kildare who has retired from the Health Service Executive has not being granted their due rights that is the eight days holiday payment to which they were entitled; and if he will make a statement on the matter. [6807/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Services

419. **Deputy Olivia Mitchell** asked the Minister for Health and Children the reason behind precluding children suffering from autism who attend mainstream schools from access to school-based speech therapy services and if consideration could be given to reviewing this policy; and if he will make a statement on the matter. [6808/11]

Minister for Health and Children (Deputy James Reilly): 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.

420. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if he will reverse the cuts to dental treatment services imposed by the last Government; and if he will make a statement on the matter. [6813/11]

Minister for Health and Children (Deputy James Reilly): I am considering the measures introduced by the HSE to contain expenditure on the Dental Treatment Services Scheme at the level of €63 million.

421. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if it is proposed to proceed with contracts between the Health Service Executive and clinical dental technicians; and if he will make a statement on the matter. [6814/11]

Minister for Health and Children (Deputy James Reilly): The Health Service Executive plans to proceed with contracts for services with Clinical Dental Technicians and is currently making the necessary administrative arrangements.

Medical Cards

422. **Deputy Gerald Nash** asked the Minister for Health and Children if a medical card will be granted to a person (details supplied); and if he will make a statement on the matter. [6816/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

Thalidomide Survivors

423. **Deputy Jack Wall** asked the Minister for Health and Children his plans to open negotiations with an organisation (details supplied); and if he will make a statement on the matter. [6818/11]

Minister for Health and Children (Deputy James Reilly): As outlined in the programme for Government, I am committed to re-opening discussions with Irish survivors of thalidomide. In February of this year, my Department voluntarily disclosed a large volume of records to solicitors representing both the Irish Thalidomide Association and the Irish Thalidomide Survivors Society. These records relate to the circumstances surrounding thalidomide in the 1950s and 1960s and arrangements made in the 1970s relating to survivors of thalidomide. I expect that both representative bodies are currently examining the documentation provided. I will be happy to meet both representative bodies in the future following their examination of the documentation provided.

Question No. 424 answered with Question No. 404.

Child Abuse

425. **Deputy Denis Naughten** asked the Minister for Health and Children further to Parliamentary Question No. 242 of 9 November 2010, if the review has been completed; if issues of concern have been raised on foot of the review; the steps being taken to address any such issues; and if he will make a statement on the matter. [6827/11]

Minister for Health and Children (Deputy James Reilly): The Report of the Inquiry Team into the Roscommon Child Care case was published in October 2010 and it recommended that an audit of current practice of chronic neglect cases should be undertaken in County Roscommon. A review of serious neglect cases in Roscommon commenced in September 2010, and was completed in February 2011. The review was carried out by Dr. Lynne Peyton, Independent Consultant and former member of the Northern Ireland Child Protection Services. The results of the review identified case specific concerns, which were referred to the Local Health Manager and the appropriate corrective and protective actions were applied to the cases; and case specific need for further intensive social work review by local management, which has been undertaken.

The Review identified a general issue concerning vacant posts in psychology services in Roscommon which has been brought to the attention of the HSE National Human Resources as a matter of urgency. The Review also indicated that parental alcohol abuse was a concern in 50% of the cases examined. The Roscommon regions multidisciplinary implementation team has been charged with implementing and monitoring the findings of the Roscommon Child care report and the findings which apply locally out of the Child Neglect Case Review in Roscommon.

Community Care

426. **Deputy Paudie Coffey** asked the Minister for Health and Children the action that he is taking to ensure continued access to community welfare officers for persons requiring rent supplement assistance following the proposed closure of three centralised rental units in Dublin that service a large area of counties Dublin, Kildare and Wicklow; and if he will make a statement on the matter. [6841/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Medical Aids and Appliances

427. **Deputy Niall Collins** asked the Minister for Health and Children if he will urgently arrange for an item of medical equipment to be released by the Health Service Executive South to a person (details supplied) in County Cork. [6866/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Medical Cards

428. **Deputy Niall Collins** asked the Minister for Health and Children if he will expedite an appeal in relation to full medical card in respect of a person (details supplied) in County Limerick. [6871/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

429. **Deputy John McGuinness** asked the Minister for Health and Children if a medical card will be issued as a matter of urgency in respect of a person (details supplied) in County Kilkenny. [6873/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

430. **Deputy Niall Collins** asked the Minister for Health and Children if it is still his intention to reinstate symptomatic breast cancer services in Sligo General Hospital in the next three months. [6879/11]

431. **Deputy Niall Collins** asked the Minister for Health and Children given his commitment to reinstate symptomatic breast cancer services in Sligo General Hospital in the next three months, if he is now abandoning the national quality assurance standards for symptomatic breast disease services. [6880/11]

432. **Deputy Niall Collins** asked the Minister for Health and Children in view of his decision that the national quality assurance standards for symptomatic breast disease services will no longer apply in parts of the country, if he will provide the future role of the Health Information and Quality Authority in monitoring these standards. [6881/11]

433. **Deputy Niall Collins** asked the Minister for Health and Children the discussions he has had with the Health Information and Quality Authority with regard to the reinstatement of symptomatic breast cancer services in Sligo General Hospital in the next three months; when these discussions took place; if HIQA is in agreement with the reinstatement of these services; and if he will make a statement on the matter. [6882/11]

434. **Deputy Niall Collins** asked the Minister for Health and Children the discussions he has had with the director of the national cancer control programme with regard to the reinstatement of symptomatic breast cancer services in Sligo General Hospital; when these discussions were held; and if he will make a statement on the matter. [6883/11]

435. **Deputy Niall Collins** asked the Minister for Health and Children if the additional consultant and other staff appointments that were made to Galway university hospital to facilitate the centralisation of symptomatic breast cancer services will now be removed from the hospital and will he indicate which posts and the timetable. [6884/11]

436. **Deputy Niall Collins** asked the Minister for Health and Children if in line with his policy of money follows the patient, there will be an equivalent reduction in the budget of Galway university hospital as the increase to be given to Sligo General Hospital as breast cancer patients are redirected; the amount of same and when will it happen. [6885/11]

437. **Deputy Niall Collins** asked the Minister for Health and Children if the option of immediate breast reconstruction will no longer be available to Sligo breast cancer patients; will they now be required to undergo two operations, the first in Sligo General Hospital and the second in Galway university hospital. [6886/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 430 to 437, inclusive, together.

The Strategy for Cancer Control in Ireland set out the rationale for the restructuring of cancer services that paved the way for the establishment of the National Cancer Control Programme. Since then, there has been a considerable change in the way previously fragmented cancer services in our hospitals, in particular, are organised. Breast cancer diagnosis and surgery were transferred from Sligo General Hospital to University Hospital Galway in August 2009. Women now have their initial diagnosis and surgery under the care of a multidisciplinary team, with immediate breast reconstruction available, in a centre which has the minimum volume of new cases, as recommended by the National Quality Assurance Standards for Symptomatic Breast Disease. Patients only travel for diagnosis and surgery and can have their chemotherapy, where necessary, in Sligo. A breast care nurse based in Sligo follows up women with minor complications locally and provides ongoing support and breast care where required.

The National Quality Assurance Standards which were adopted by HIQA were prepared by a national group that was chaired by Professor Niall O'Higgins. The purpose of the standards was to improve the quality of care for women with breast cancer in Ireland. I am committed to ensuring that quality and optimal care are at the heart of our health services, including our cancer services, which must be delivered in line with best practice in a safe and quality-approved setting. I will shortly meet Dr. Susan O'Reilly, who is the Director of the National Cancer Control Programme, to discuss a range of strategic issues in relation to cancer services, including the provision of breast cancer services at Sligo General Hospital.

Health Services

438. **Deputy Mary Mitchell O'Connor** asked the Minister for Health and Children his plans to provide adequate resources for stroke patients; if there is provision of a stroke unit for Dún Laoghaire; and if he will make a statement on the matter. [6930/11]

Minister for Health and Children (Deputy James Reilly): The report on Cardiovascular Health Policy 2010-2019 recommended that stroke services be reconfigured into stroke networks, with a number of hospitals working together to provide the comprehensive range of services needed for optimal stroke care and working closely with community services. The HSE has appointed two lead clinicians within the Directorate of Quality and Clinical Care to direct the implementation of the recommendations in so far as stroke is concerned. Discussions are taking place at local and regional level to further improve access and quality of stroke services for patients. In relation to services for stroke patients in Dún Laoghaire, there are stroke

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rehabilitation units in the National Rehabilitation Hospital in Dún Laoghaire, the Royal Hospital in Donnybrook and St. Colmcille's Hospital in Loughlinstown which cater for some patients from the Dún Laoghaire area. Discussions are under way in the HSE to determine how the service for acute stroke patients in St. Vincent's Hospital could be improved further. The numbers of stroke patients attending St. Michael's Hospital in Dún Laoghaire are too small to justify establishment of a dedicated unit there.

Departmental Agencies

439. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the number of staff and their grades that are employed by Fáilte Ireland and Tourism Ireland for each year from 2007 to date in 2011. [6746/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I regret that it has not been possible to compile the figures requested in the time available. Accordingly, I have asked my officials to write to the Deputy on this matter as soon as possible.

Sports Capital Programme

440. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport his plans to reintroduce the sports capital grant programme in 2011. [6857/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the Sports Capital Programme, funding is allocated to sporting and voluntary and community organisations at local, regional and national level throughout the country. No decision has been made on the timing of the next round of the programme.

Air Services

441. **Deputy Pádraig Mac Lochlainn** asked the Minister for Transport, Tourism and Sport if he will reinstate the public service obligation subvention to the Derry-Dublin air link in acknowledgement of the fact that there is no direct rail link and poor roads infrastructure linking the two cities and by extension north and east Donegal. [6419/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I understand the decision to reduce the number of routes covered by PSO services was taken by the previous Government in line with the Value for Money Review of Exchequer Expenditure on the Regional Airports Programme, which took account of a number of factors including the performance of the services, the requirement to make best use of scarce Exchequer resources and improvements in alternative transport modes and changes in EU legislation covering PSO services. In the circumstances, it is not my intention to revisit the decision on the Derry PSO route. However, I can confirm that my Department is progressing the measures necessary to continue the Donegal-Dublin PSO.

Rail Services

442. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport the reason a company (details supplied) no longer allows customers to collect pre-booked tickets with credit cards. [6537/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matter raised is an operational one for Iarnród Éireann. I have referred the Deputy's question to the company for

direct reply and ask him to advise my private office if he does not receive a reply within ten working days.

Parking Regulations

443. **Deputy Catherine Murphy** asked the Minister for Transport, Tourism and Sport his plans to regulate off street private car parking, which often results in penal clamping charges; and if he will make a statement on the matter. [6597/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The programme for Government commits to the introduction of legislation to regulate the clamping industry. Current legislation on clamping relates only to clamping on-street or in local authority car parks and applies only to local authority clampers or to private companies acting under contract as agents of local authorities. This leaves the whole area of clamping on private land unregulated. I have asked my Department to examine options related to the regulation of the private clamping industry and I hope to be in a position to advance the matter shortly. The Deputy will note that legislation in this area forms part of the Government's legislative programme, as published today. If the Deputy has particular views on the shape such legislation should take, I will be happy to take them on board.

Irish Coast Guard

444. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport the position regarding a planned building project (details supplied) in County Cork. [6601/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Planning permission was received from Cork County Council in November 2009 for a new two-storey station house for the Irish Coast Guard Crosshaven Unit at Lower Road, Knocknagore, Crosshaven, County Cork. In line with Public Procurement Regulations, the Office of Public Works ran a pre-qualification process whereby a number of suitably qualified contractors were invited to submit a tender for the project. Five firms satisfied the criteria set and were invited in October last to submit a tender for the station. The process of selecting the contractor is currently in hands by the OPW and building work is expected to commence later this year.

Road Traffic Offences

445. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the sections of the 2010 Road Traffic Act that were implemented in January 2011 in relation to certain drink driving offences and administrative fixed penalties; and if he will make a statement on the matter. [6773/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The relevant sections of the Road Traffic Act 2010 will be commenced and will come into force when the necessary operational and administrative supports are in place. The 2010 Act consolidates many of the provisions of previous road traffic legislation, particularly those relating to intoxicated driving. The Act also provides for the lowering of the blood alcohol concentration limits for drivers of vehicles. As the intoxicated driving provisions are so inter-related, I intend to commence all the sections relating to intoxicated driving together when new breath testing instruments have been procured and are in place.

Departmental Agencies

446. **Deputy Olivia Mitchell** asked the Minister for Transport, Tourism and Sport the number

[Deputy Olivia Mitchell.]

of agencies, authorities and other bodies coming within his Department's remit that operate independent payroll systems and the reason such a function could not be provided by the Department. [6805/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): My Department is currently pursuing arrangements for the provision of payroll services for its staff by another Department and as such is not proposing to become a service provider to agencies. While I have no direct function in relation to the day-to-day functioning of such agencies, the Croke Park agreement and the Employment Control Framework require non-commercial State agencies to achieve very substantial cost and staffing efficiencies. They are looking at the best way of achieving these including, where appropriate, shared services. In the case of the commercial State agencies, current economic market realities dictate that they must also seek the maximum cost and staffing efficiencies including, where appropriate, shared services.

Taxi Regulations

447. **Deputy David Stanton** asked the Minister for Transport, Tourism and Sport in regard to compliance by taxis with the European Communities (Road Vehicles; Type Approval) Regulations 2009 (S.I. No. 158 of 2009 which gives effect to EU Directive 2007/46/EC and includes a reference to EU Directive 76/115/EEC), if he has considered allowing for any derogations for wheelchair accessible vehicles purchased prior to April 2009 which are required to be compliant by 29 April 2012 given the need for more wheelchair accessible vehicles in the taxi fleet; and if he will make a statement on the matter. [6899/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The regulation of the taxi industry is a matter for the National Transport Authority (NTA) under the Public Taxi Regulation Act 2003, as amended. Among the principal functions of the NTA, as provided for under section 9 of the Taxi Regulation Act 2003, is the promotion of access to small public service vehicles by persons with disabilities. In 2007, the former Commission for Taxi Regulation (whose functions have been incorporated into the NTA) published accessible standards for taxis and hackneys, which took into consideration the implementation of type approval under the European Communities Directive 2007/46/EC. I understand that the National Transport Authority will be commencing a further vehicle standards consultation process this year which will include the accessible vehicle requirements for taxis and hackneys into the future.