



# DÁIL ÉIREANN

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*Déardaoin, 14 Aibreán 2011.*  
*Thursday, 14 April 2011.*

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

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*Paidir.*

*Prayer.*

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## Order of Business

**The Tánaiste:** It is proposed to take No. 9, statements on suicide prevention (resumed), to adjourn at 12.30 p.m., if not previously concluded; and No. 3, Environment (Miscellaneous Provisions) Bill 2011 — Order for Second Stage and Second Stage.

**An Ceann Comhairle:** There are no proposals to be put to the House today.

**Deputy Éamon Ó Cuív:** The programme for Government promises speedy action to regulate lobbying, but the legislative programme is silent on the issue and states it is unlikely to be addressed soon. In the light of today's controversy, I am wondering whether there are any initiatives to bring forward speedy proposals to deal with the issue. The Tánaiste would be shouting very loudly about it if he was on this side of the House. What proposals does he have to deal with it as a matter of urgency?

**The Tánaiste:** Legislation to provide for a register of lobbyists is the subject of a commitment in the programme for Government and will be proceeded with. Not all of the commitments made in the programme are provided for in the current legislative list which was published at a much earlier stage than usual. It is a list of legislation that can be delivered in the foreseeable future, but the Government's commitment to provide for a register of lobbyists remains.

**Deputy Éamon Ó Cuív:** I thank the Tánaiste for his reply, but he is being less than specific about what is intended to be done. A parliamentary question was tabled to the Taoiseach, but it was transferred to another Department and we are still waiting for a reply on the issue. I would like to see a timescale in which it will be dealt with in order that we can ensure there will be transparency. That is something for which the Tánaiste called when in opposition, but he seems reluctant to give a definite date now that he is in government. It is important to avoid these issues coming into the public domain because they give a wrong impression.

**The Tánaiste:** I welcome the Deputy's renewed enthusiasm for legislation to deal with lobbyists which is in marked contrast with his position on two occasions during the lifetime of the previous Government when he voted down Private Members' legislation to provide for the registration of lobbyists.

**Deputies:** Hear, hear.

**Deputy Dara Calleary:** Where is the legislation now?

**The Tánaiste:** I also thank Deputy Éamon Ó Cuív for his support and confidence in the Government, as he thinks we can do in 14 weeks what the Government of which he was a member could not do in 14 years. Let me be absolutely clear. The legislation dealing with lobbyists will be introduced by the Government and I hope the Deputy will support it.

**Deputy Timmy Dooley:** By then Fine Gael will have packed all of the contacts.

*(Interruptions).*

**Deputy Mary Lou McDonald:** I welcome yesterday's announcement on the minimum wage and I am glad to see that on this matter, at least, the Government's U-turn has come the full 360 degrees. I understand the matter will be addressed in the revised bailout agreement between the Government and the IMF. However, the proposal on the minimum wage was joined by one to cut the wages and conditions of almost 240,000 workers currently protected under the JLC system such as cleaners, workers in the security industry, agriculture and so on. It seems obvious that this was the price demanded by the IMF to reverse the cut in the minimum wage.

**An Ceann Comhairle:** Are we coming to a question?

**Deputy Mary Lou McDonald:** I am. For a long time Sinn Féin has argued for pay cuts at the top of the public sector and the Civil Service. I notice the sabre rattling by the Tánaiste's ministerial colleague, Deputy Brendan Howlin, who is coming at the issue of public sector wages in an indiscriminate way, in tandem with the IMF.

**Deputy Finian McGrath:** Hear, hear. Slash and burn.

**Deputy Brendan Howlin:** They are coming, too.

**An Ceann Comhairle:** Can we have a question, please?

**Deputy Mary Lou McDonald:** It is clear that low paid workers in the private and public sectors will be the target for further austerity measures. I want to ask the Tánaiste the following.

*(Interruptions).*

**Deputy Mary Lou McDonald:** Will these matters be addressed in the Government's new bailout deal with the IMF? Will the Government bring the deal before the House, not for discussion by way of statements but by way of a debate and a vote? Will the so-called jobs budget actually be about job creation, or will it prove to be a charter to slash wages?

**The Tánaiste:** As far as I can see, the only 360 degree revolution has been that taken by the Deputy. When she asked me this day last week about the national minimum wage, she seemed to be incredulous that the Government was serious about proceeding with the reversal of the cut in the national minimum wage. I told her that the Government had determined that it was going to reverse the cut which we considered to be wrong and inflicting pain on the lowest paid. The Government is proceeding to reverse it. When I was asked about the issue last week by the Deputy, I told her the Attorney General was being consulted as to whether it could be done by way of an order or legislation. I can tell her today that it will be done by way of primary legislation. To that end, the Minister for Jobs, Enterprise and Innovation will be publishing the heads of a Bill to give effect to the commitment made before 31 May. It is the Government's intention to reverse the cut in the national minimum wage and it will proceed.

**An Ceann Comhairle:** I call on Deputy Higgins.

**Deputy Mary Lou McDonald:** I am sorry, a Cheann Comhairle, you gave the Fianna Fáil speaker a right to come back a second time. The Tánaiste wilfully did not answer my question.

**An Ceann Comhairle:** Please, Deputy, respect the Chair. I am not here to judge whether your question was answered. This is not about how many questions are allowed. We are on the Order of Business. I ask the Deputy to respect the Chair, who is acting independently. She should, please, not pass that kind of remark again. I have called Deputy Higgins. I will call the Deputy later.

**Deputy Joe Higgins:** I want to ask about the Education (Amendment) Bill 2010 which seeks to amend the Education Act 1998 which provides for children with special needs, among other things. We hear there are to be no more teachers for special needs children because the European Union and the IMF demand it. We hear this morning from the enterprise Minister, promising in the legislation we have just heard about, to restore the minimum wage, a poverty wage, for 60,000 workers but now making that legislation conditional on 250,000 extremely low-paid other workers being hammered by having their anti-social allowances taken from them, for example, because the EU-IMF demands it.

What is the point in asking about legislation when the Tánaiste represents a Government that is nothing more than a ventriloquist's dummy for the EU-IMF?

**An Ceann Comhairle:** No statements, please. Could the Deputy ask the question?

**Deputy Bernard J. Durkan:** Go easy on the ventriloquist, now, Joe.

**Deputy Joe Higgins:** That makes dummies out of all of you as well, by the way. All I hear is "his master's voice", and the EU-IMF dictates it. Is the legislation to restore the minimum wage, which the Government promised to introduce shortly, conditional on new attacks on low-paid workers to pay off more bad gambling debts for European banks?

**The Tánaiste:** As Deputy Higgins says, there is not much point in asking questions about legislation when the questioner has already presumed the answer. The answer to the Deputy's question is "No". The reversal of the cut in the national minimum wage is not conditional on anything. It is a commitment that was given in the programme for Government and it is being delivered in the manner I have described.

There is a separate issue, the review of the joint labour committee system. A commitment was given in the programme for Government, too, that there would be a review of the joint labour committee system and the employment regulation order system that applies to it. An independent review of the system has been under way for some time, headed by Mr. Kevin Duffy, chairman of the Labour Court. That review is due to report in the next couple of weeks and when it does the outcome will be considered by the Government.

**Deputy Aengus Ó Snodaigh:** Tá dhá ceisteanna agam ar an gclár riaracháin, an chéad ceann maidir le uimhir a 50, the Gaeltacht Bill, to establish Údarás na Gaeilge agus na Gaeltachta and repeal the existing Údarás na Gaeltachta legislation, defining the status of Gaeltacht areas based on linguistic criteria.

‘Sé an cheist anseo ná: an bhfuil seans ar bith go dtiocfaidh an reachtaíocht os comhair na Dála i mbliana seachas fanacht bliain breise, mar atá siúd ins an nGaeltacht ag iarraidh fhios a bheith acu cá huair a mbeidh an toghchán do Údarás na Gaeltachta nó na Gaeilge, amach anseo, agus cén feidhm a mbeidh ag an údarás sin.

[Deputy Aengus Ó Snodaigh.]

My second question is on other legislation, No. 77 on the legislative programme. This is a very important Bill for those looking for Garda vetting clearance, namely, the national vetting bureau Bill. It programme says that at this stage it is not possible to indicate when it will be published. Many people are looking for Garda vetting clearance to work with children for summer projects and youth clubs. Many people who are unemployed want to dedicate some of their time to helping community groups and so on. Is there any possibility of ensuring that this vital legislation is introduced quickly, and will the new agency or bureau come under the auspices of the Garda Síochána as a civilian function, or will it be a separate State agency or quango?

**The Tánaiste:** Ar dtús, mar gheall ar an mBile i dtaobh Údarás na Gaeltachta, bhí cruinniú de fochoiste an Rialtais a n-oibríonn i dtaobh an Gaeilge agus cúrsaí Gaeltachta ar maidin agus do bhí an Bile sin idir lámh ag an bhfocoiste. Tá sé in intinn ag an bhfocoiste agus an Aire dul ar aghaidh leis an mBile sin chomh lua agus is féidir.

On the national vetting Bill, there is no date for its publication as yet, but I will communicate the Deputy's concerns and anxieties to the Minister for Justice and Equality so that the legislation may be proceeded with as quickly as possible.

**Deputy Richard Boyd Barrett:** On the forthcoming minimum wage legislation to which the Tánaiste referred, would he agree that while the introduction of that legislation is something many workers would have looked forward to as——

**An Ceann Comhairle:** It is not a question of agreeing with anybody. This is about asking when legislation is due.

**Deputy Richard Boyd Barrett:** I am sorry, but I have not finished, a Cheann Comhairle.

**An Ceann Comhairle:** This is the Order of Business.

**Deputy Richard Boyd Barrett:** While it might have been something they were looking forward to, will the Tánaiste not comment on the shocking comments made by the Minister for Enterprise, Jobs and Innovation on the minimum wage legislation?

**An Ceann Comhairle:** No, he cannot comment.

**Deputy Richard Boyd Barrett:** This is not something workers should look forward to, but rather something 260,000 workers should fear because low-paid workers, precisely those who thought they would be protected, in hair-dressing, contract cleaning and agriculture will now have their wages and conditions attacked by this Government when they might have thought they would be protected.

**An Ceann Comhairle:** Will the Deputy please resume his seat?

**Deputy Richard Boyd Barrett:** I am asking about the legislation, a Cheann Comhairle.

**An Ceann Comhairle:** The Deputy is not asking about the legislation.

**Deputy Richard Boyd Barrett:** I just wonder whether this vendetta, as it seems, against low-paid workers——

**An Ceann Comhairle:** Does the Deputy hear me? I am asking him to resume his seat.

**Deputy Richard Boyd Barrett:** I have not finished, a Cheann Comhairle. I am just asking questions about minimum wage legislation.

**An Ceann Comhairle:** Will the Deputy resume his seat? Did he hear me?

*(Interruptions).*

**An Ceann Comhairle:** Please, Deputy Boyd Barrett, the Tánaiste is on his feet.

**The Tánaiste:** There are occasions when the word “welcome” is appropriate to be used in this House and this is one of them. If the Deputy had a tither of genuine concern for people on the minimum wage he would have welcomed this morning the clear commitment by the Government to reverse the cut in the minimum wage.

**Deputies:** Hear, hear.

**Deputy Michael McCarthy:** The programme for Government refers to the deposit retention scheme. This is very important legislation dealing with the unfair retention of deposits. Obviously, it affects thousands of vulnerable students who find it difficult enough to finance their third level education. Will the Tánaiste say when it is expected this vital legislation will be brought before the House?

**The Tánaiste:** That legislation is not listed in the programme as published. I shall return to the Deputy on this issue.

**Deputy Dara Calleary:** On No. 13, the ministers and secretaries (amendment) Bill, the Minister, Deputy Brendan Howlin said this morning that the Civil Service was generally not fit for purpose. What proposals will be in that Bill to correct that assertion and what are the Tánaiste’s thoughts on the performance of the Irish Civil Service?

**The Tánaiste:** The legislation to which the Deputy refers is being worked on and will be published shortly.

**An Ceann Comhairle:** Deputy Mary Lou McDonald

**Deputy Mary Lou McDonald:** Go raibh maith agat, a Cheann Comhairle. To return to the scene——

**An Ceann Comhairle:** What scene, please?

**Deputy Mary Lou McDonald:** I refer to the minimum wage. Will the new deal, the revised memorandum of understanding between the Government and the IMF come to this House for a vote?

**The Tánaiste:** Let us be clear, what is under way is the quarterly review of the memorandum of understanding. This is part of the deal entered into last autumn. There is provision for a quarterly review of those arrangements.

The first quarterly review was due to take place somewhat earlier this year, but due to the general election and so on it was put back until now. The discussions on that review are continuing and I understand they are due to be completed tomorrow. We will have to await the outcome of those discussions.

**Deputy Mary Lou McDonald:** Is that a “Yes” or a “No”?

**Deputy Ciarán Lynch:** When will legislation regarding the abolition of upward only rent reviews for existing leases come before the House? This issue is mentioned in the programme for Government and I understand that discussions are under way between the Minister for Justice and Equality and the Attorney General. Will the Tánaiste indicate when we will see legislation on this matter in the House?

**The Tánaiste:** Discussions are taking place between the Minister and Attorney General on this matter. The intention is that the legislative provisions dealing with upward only rent reviews will be dealt with as part of an existing Bill before the House, the Property Services (Regulation) Bill.

**Deputy Finian McGrath:** I wish to inquire about the Education (Amendment) Bill. However, may I first remind the Tánaiste regarding his comments about Deputy Boyd Barrett that the Deputy has a strong track record in defending workers' rights?

**An Ceann Comhairle:** No. Will the Deputy please put his question on legislation?

**Deputy Finian McGrath:** I just wanted to point that out. He has always defended the workers of this country and I will back him 100% on those issues.

**An Ceann Comhairle:** I ask the Deputy not to do so in this Chamber. Please deal with the issues.

**Deputy Finian McGrath:** My apologies. On the Education (Amendment) Bill, is it now Government and Labour Party policy to cut, slash and burn the resources for children with special needs?

**The Tánaiste:** The Minister is working on the Education (Amendment) Bill and it will be brought forward as soon as it is available.

**Deputy Emmet Stagg:** It will not do what is suggested.

**Deputy Martin Ferris:** Yesterday, negotiations with over 100 workers at Aetna Limited in Castleisland broke down, despite tremendous efforts by the workers representatives to facilitate the company.

**An Ceann Comhairle:** This is not on the Order of Business.

**Deputy Martin Ferris:** I am coming to the point. Is there any legislation promised to protect the rights of workers or does the Government have any intention of trying to compel the company to meet the demands and entitlements of the workers at this premises who will almost certainly lose their jobs in the next two weeks?

**An Ceann Comhairle:** Is legislation promised? The issue is more a matter for the Adjournment.

**The Tánaiste:** I am not familiar with the issue of the breakdown in discussions, but I hope discussions can either be resumed or that the industrial relations machinery of the State can be used to deal with the issue.

**An Ceann Comhairle:** These are matters appropriate to the Adjournment debate or, hopefully, when Dáil reform provides for it we will be able to raise topical issues. We are on the Order of Business now which deals with promised legislation and when it will be introduced. I ask Deputies not to abuse the hospitality of the House by constantly trying to raise issues that

can be dealt with either by parliamentary question or the Adjournment. We have four Deputies to call yet and it is almost 11 a.m.

**Deputy Pádraig Mac Lochlainn:** The programme for Government makes a commitment to remove the criminal sanctions that have so aggrieved fishing communities around our coast and to replace them with new administrative sanctions. When will the Government introduce legislation to make that happen?

**The Tánaiste:** I will raise that issue with the Minister for Agriculture, Fisheries and Food. No legislation on the issue is expected in this session. It is in the programme for Government and as with all the matters therein, progress will be made on them by the Ministers concerned.

**Deputy Pádraig Mac Lochlainn:** Will the Tánaiste get back to me on that?

**Deputy Thomas Pringle:** With regard to the legislation promised on upward only rent reviews, will that legislation cover leaseholders from the State who are subject to such reviews on a constant basis? Will the legislation cover people who have leased property from the State?

**The Tánaiste:** As already indicated, the legislation is being discussed by the Minister for Justice and Equality and the Attorney General. It is intended to use the opportunity of another piece of legislation to bring the legislative proposals before the House. Obviously, I cannot comment on the detail of what will be in the legislation until the discussions are completed.

**Deputy Éamon Ó Cuív:** With regard to the Social Welfare and Pensions Bill, work had been going on in the Department with regard to reform of the mortgage interest supplement to make it more accessible to people and to eliminate the 30-hour rule which meant that those who worked more than 30 hours a week, no matter what their income, were not entitled to a mortgage interest supplement. Will that Bill include amendments to the mortgage interest supplement provision to help those with mortgage arrears?

**An Ceann Comhairle:** The content of the Bill is not a matter for the Order of Business.

**Deputy Éamon Ó Cuív:** Yes, but the brief we got on the content of the Bill is very vague. On the week of St. Patrick's Day, a debate was promised on the Irish language. When will that debate take place?

**An Ceann Comhairle:** The Tánaiste, on promised legislation.

**The Tánaiste:** As the Ceann Comhairle is aware, I cannot comment on the content of the legislation. That is a matter the Deputy can pursue with the Minister directly. With regard to the debate on the Irish language, the arrangements for that can be made by the Whips.

**Deputy Éamon Ó Cuív:** We were given that answer last week. The Government has an overwhelming majority. Can the Tánaiste give a date for that debate?

**An Ceann Comhairle:** He said he cannot. It is a matter for the Whips. The Deputy has a Whip there behind him.

**Deputy Arthur Spring:** Mention is made in the programme for Government with regard to innovation and commercialisation of the need for a national intellectual property protocol. Will this need legislation and, if so, what timeframe will be allowed for it? This is essential for the pharmaceutical industry and the development of jobs in the digital industry. With regard to what is relevant to the Order of Business, I will wait for the Adjournment Debate to deal with the issue of the workers in Castleisland.



**An Ceann Comhairle:** If the Deputy submits his request in the appropriate way, it will be considered.

**The Tánaiste:** I am not in a position to say at this point whether the intellectual property protocol will require legislation. It is something that is being considered by the Minister.

**Deputy Brian Lenihan:** The jobs budget has now become a jobs initiative. Will the initiative be subject to a statement in the House? A budget would require a statement, but will the initiative be subject to a statement? Second, when will the fiscal responsibility Bill be published? The Government has promised a comprehensive public expenditure review in September. How does that relate to the fiscal responsibility Bill? Is it a stand alone item, a sort of McCarthy for slow learners?

11 o'clock

**Deputy Brendan Howlin:** What was the Deputy's comment on slow learners?

**The Tánaiste:** The jobs budget will involve a statement to the House. The Government is giving priority to jobs and to getting people back to work. No matter the semantics of what it is called, let us be clear that the Government is determined to deal with the issue of jobs as part of the process of economic recovery we want to bring about given the mess we have inherited. The fiscal responsibility Bill is to be published this session and will be dealt with by the House in due course.

**Deputy Richard Boyd Barrett:** At last.

**An Ceann Comhairle:** The Deputy has already been on his feet for five minutes. He cannot be jumping up and down every five minutes.

**Deputy Richard Boyd Barrett:** I have a direct question for the Tánaiste.

*(Interruptions).*

**An Ceann Comhairle:** Are you looking after this man?

**Deputy Richard Boyd Barrett:** Well the Ceann Comhairle is not. That is for sure.

**An Ceann Comhairle:** I ask the Deputy to withdraw that remark.

**Deputy Richard Boyd Barrett:** I withdraw it.

On the minimum wage——

**An Ceann Comhairle:** This is Parliament, not a county council.

**Deputy Richard Boyd Barrett:** Indeed. On the minimum wage, can I ask the Tánaiste a direct question?

**An Ceann Comhairle:** No, the Deputy cannot. We are on the Order of Business.

**Deputy Richard Boyd Barrett:** Are the IMF and the European Union demanding an input into draft legislation——

**An Ceann Comhairle:** I have already told the Deputy.

**Deputy Richard Boyd Barrett:** ——or demanding legislation on JLCs?

**An Ceann Comhairle:** Tánaiste, please do not——

**Deputy Richard Boyd Barrett:** My second question is on the Order of Business. I ask the Tánaiste to comment on the second document mentioned on the Order Paper on a Council decision to conclude an agreement between the European Union and the Palestinian Authority of the West Bank and the Gaza Strip.

**An Ceann Comhairle:** That is not in order.

**Deputy Richard Boyd Barrett:** It is included in the Order Paper. I ask the Tánaiste to say a word about exactly what the agreement is and whether the liberalisation of trade with the West Bank and Gaza regarding the Palestinian Authority——

**An Ceann Comhairle:** Does the Deputy have any respect for the Chair?

**Deputy Richard Boyd Barrett:** It is on the Order paper.

**An Ceann Comhairle:** The Deputy knows he is not allowed to make ongoing statements——

**Deputy Richard Boyd Barrett:** It is a question.

**An Ceann Comhairle:** ——on a continual basis.

**Deputy Richard Boyd Barrett:** It is a question.

**An Ceann Comhairle:** The Deputy is abusing the House. Will he, please, learn the rules?

**Deputy Richard Boyd Barrett:** I am asking a question.

**Deputy Bernard J. Durkan:** This is not Question Time.

**An Ceann Comhairle:** The Deputy may ask a question, but he is not entitled to make a statement.

**Deputy Richard Boyd Barrett:** I am asking for an explanation——

**An Ceann Comhairle:** The Deputy is not entitled to ask for one.

**Deputy Richard Boyd Barrett:** Can I not ask what about is on the Order Paper?

**An Ceann Comhairle:** No.

**Deputy Richard Boyd Barrett:** I am not allowed ask about what is on the Order Paper.

**An Ceann Comhairle:** It is a document which has been laid before the House.

**Deputy Richard Boyd Barrett:** I am not allowed to ask what it is about.

**An Ceann Comhairle:** The Deputy should read it.

**Deputy Richard Boyd Barrett:** I have——

**An Ceann Comhairle:** Then he should not be asking questions about it here.

**Deputy Richard Boyd Barrett:** ——and I am looking for an explanation.

**An Ceann Comhairle:** The Deputy should table a parliamentary question. Will he, please, show some respect for the Chair?

**Deputy Richard Boyd Barrett:** It is on the Order Paper and we are on the Order of Business.

**An Ceann Comhairle:** I know it is on the Order Paper which is coloured green in case the Deputy——

**Deputy Richard Boyd Barrett:** Am I not allowed ask about the Order Paper on the Order of Business?

**Deputy Lucinda Creighton:** No.

**An Ceann Comhairle:** I ask the Deputy to resume his seat and try to respect the Chair.

**Deputy Richard Boyd Barrett:** Will the Tánaiste respond and explain——

**An Ceann Comhairle:** He will not explain anything. He will answer questions.

**Deputy Richard Boyd Barrett:** ——whether the agreement extends to the elected authorities on the Gaza Strip?

**Deputy Pat Rabbitte:** The Minister must obey the Chair.

**Deputy Richard Boyd Barrett:** It is bizarre.

**An Ceann Comhairle:** The Deputy does not like the Order of Business. It is not a question of making ongoing statements every single morning. Will he, please, respect the Chair?

**Deputy Richard Boyd Barrett:** I am asking a question about the Order Paper.

**An Ceann Comhairle:** There are other Deputies in the Chamber. Tánaiste, is this a matter for the Order of Business and if so, will you, please, answer the question?

**The Tánaiste:** It is not. It is about a document that has been laid before the House.

**An Ceann Comhairle:** Absolutely.

**The Tánaiste:** In order to be helpful to Deputy Boyd Barrett, again this is something I would have thought he would have welcomed. It is a proposal for an agreement——

**Deputy Richard Boyd Barrett:** I just asked the question.

**An Ceann Comhairle:** Will the Deputy, please, let the Tánaiste answer?

**The Tánaiste:** Let me give the Deputy the answer. It is a proposal for an agreement between the European Union and the Palestinian Authority, providing for the liberalisation of trade between the European Union and the Palestinian Authority. I would have thought this is something he would have warmly welcomed.

**An Ceann Comhairle:** I call Deputy Ellis.

**Deputy Richard Boyd Barrett:** Does it extend to——

**An Ceann Comhairle:** I will be asking the Deputy to leave the House shortly if he continues to behave like this. He will have to learn to respect the Chair.

**Deputy Tom Hayes:** On a point of information——

**An Ceann Comhairle:** There is no such thing as a point of information. I call Deputy Ellis.

**Deputy Tom Hayes:** On a point of order, is it possible to arrange a crash course for new Deputies—

**An Ceann Comhairle:** I thank the Deputy.

**Deputy Tom Hayes:** —who do not understand the rules and regulations of the House? Based on what we have been listening to this morning, it is very poor procedure to run the national Parliament. It is high time people—

**An Ceann Comhairle:** I ask the Deputy to resume his seat. That is not a point of order.

**Deputy Tom Hayes:** Some of us have been here for many years and we want to run our business much better.

**An Ceann Comhairle:** I am trying to do so. Will the Deputy, please, resume his seat?

**Deputy Dessie Ellis:** It is a learning curve for some of us. The programme for Government refers to cutbacks in capital programmes. Some of the capital programmes, including metro north—

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

**Deputy Dessie Ellis:** Will the Tánaiste outline if there are any future plans to cut capital programmes?

**An Ceann Comhairle:** No, he cannot do so on the Order of Business. The Deputy can table a parliamentary question.

**Deputy Dessie Ellis:** Will there be legislation or anything brought forward in that regard?

**An Ceann Comhairle:** The Tánaiste cannot do so. It does not deal with promised legislation.

**Deputy Aengus Ó Snodaigh:** The Deputy can ask about proposed legislation.

**Deputy Dessie Ellis:** I am asking about proposed legislation.

#### **Suicide Prevention: Statements (Resumed)**

**Deputy Mary Mitchell O'Connor:** The incidence of suicide presents a real and growing problem. There were 527 deaths by suicide in 2009. This figure shows a worrying trend and represents a real tragedy in homes throughout the country. Unfortunately, this trend increased in 2010. Figures for the second quarter of 2010 show there were 127 deaths by suicide. This may only represent a small increase of 4% on the figure for the same period in 2009, but it is an increase nonetheless and each individual suicide represents a tragedy for a family and a community. Our focus must be on reducing the figures as a matter of urgency.

There is a need to address the underlying problems that lead to suicide such as alcohol and drug abuse, bullying and eating disorders. A recent UNICEF study of young people in Ireland found that more than half of teenagers between the ages of 16 and 20 years had experienced bullying. While I acknowledge many of our schools are running excellent anti-bullying courses and Professor Mona O'Moore from Trinity College has been highlighting the effects of bullying among young people, much more needs to be done in our schools, homes and communities.

[Deputy Mary Mitchell O'Connor.]

While the suicide figures are shocking, the incidence of suicide is vastly under-reported, due in large part to the stigma surrounding mental health issues. In April 2010 See Change commissioned MillwardBrown Lansdowne to conduct a study of Irish attitudes towards mental ill health. One of the findings highlighted the problem of stigma. While seven out of ten Irish people believe anyone can develop a mental health problem, one in two would not want others to know if he or she had such a problem. The stigma around mental health issues is especially important for young people, many of whom are afraid to talk to someone about their problems.

In that context, I commend the new initiative by O<sub>2</sub> and Headstrong, a community-based youth mental health service. The project is called Share a Happy Thought and encourages young people to share positive thoughts on Facebook and Twitter. For every happy thought O<sub>2</sub> will donate €1 to support the provision of mental health services for young people. This is a worthwhile initiative both in terms of funding — the project could raise up to €200,000 for mental health services — and also being a great way to use social networking to raise awareness among young people of mental health issues and the services available to help them.

Much has been written about how the current economic climate has increased the risk of suicide. Unfortunately, this theory is confirmed by the 2009 figures for deaths by suicide which show a 15% increase on the figures for 2007. We need a multifaceted approach to dealing with suicide and depression. The programme for Government aims to reduce the pressure on families which are struggling to meet mortgage repayments. The upcoming jobs initiative is designed to reduce the very high unemployment figures which are, no doubt, contributing to high rates of mental health problems. However, our main focus must be on providing access to mental health services for communities.

Amnesty International has welcomed the Government's plans to prioritise mental health. One of the issues Amnesty International highlights is the importance of dealing with mental health in the community setting. It calls on the Government to deliver on its commitment to improve access to modern mental health services in the community. Amnesty International cites international evidence which shows that treating mental health problems in the community setting, rather than in a hospital setting, has a much higher success rate. Many of the key barriers to mental health treatment, such as cost and stigma, could be reduced if someone suffering from mental health problems could avoid going to hospital and instead be treated in familiar surroundings in their own area. Amnesty International highlights that both the 1992 Green Paper on mental health and the 1995 White Paper, A New Mental Health Act, called for legislation which would enable the health service to provide access to comprehensive community-based services. We can no longer leave reports such as that gathering dust on shelves. We must act now to make the recommendations of those papers a reality.

There are already many excellent organisations working to prevent suicide in the community and voluntary sector across the country, alongside primary care teams and local health offices. One of the agencies supported by the National Office for Suicide Prevention, Mental Health Ireland, has its head office in my constituency of Dún Laoghaire. It is a national voluntary organisation overseeing 104 local mental health associations throughout the country run by health professionals and lay people providing care and support for the mentally ill within the community setting. The Dún Laoghaire-Rathdown outreach project also does great work in supporting individuals, families and communities affected by substance misuse — one of the major contributors to suicide in this country. Organisations such as those need our support. We must set up a co-ordinated approach to providing mental health services in community settings.

Before I refer to the Government's plan I wish to acknowledge the excellent work done by my colleague, Deputy Dan Neville, in this area for many years. He is president of the Irish

Association of Suicidology. He has long been an advocate of greater supports for those affected by suicide and a stronger effort on suicide prevention. The programme for Government has committed to ring-fence funding of €35 million to develop community mental health teams and services. Part of the funding will be used to recruit additional psychologists and counsellors which will be integrated within primary care services.

Another positive development is the commitment by the Government to ensure that a comprehensive range of mental health services will be included in the standard insurance package under the planned universal health insurance scheme. Early intervention is key to reducing the risk of suicide and these measures will go a long way towards supporting community-based initiatives in treating mental illness and preventing suicide. I hope that the proposed reforms will take account of the organisations already working locally such as the ones I have mentioned in Dún Laoghaire. They are the people with the experience on the ground, who know intimately the mental health needs of the communities which the plans in the programme for government hope to serve.

**An Ceann Comhairle:** We now move on to the Technical Group. Deputy Flanagan will speak first, followed by Deputy Murphy, Deputy McGrath and Deputy Wallace. They are sharing time and have approximately four minutes each.

**Deputy Luke ‘Ming’ Flanagan:** Thank you, a Cheann Comhairle, for giving me the extra 15 seconds. I could have sat down and done a massive amount of research on the subject and come to the House with figures but I decided to talk about my experience and that of my community, what suicide has done to it, what seems to have caused it and perhaps what are the solutions.

One often hears experts in this area talk about nature versus nurture. With the significant rise in the amount of suicides in recent years it is clear that the nurture aspect of the issue is the problem at the moment in this country. It is not a problem of nurture within the family; the problem is the lack of nurture from the State. The consequences of society falling apart socially and economically are that more people feel they do not have any choice but to take their lives. There are a variety of reasons for that, such as financial, due to the economy falling apart. People are afraid they are going to lose their house and that they will not be able to put food on the table. That makes people miserable and leads to a downward spiral.

One of the major problems in this country in terms of suicide is due to the thinking that is prevalent around the world that style is more important than substance and that if one is somehow different that one is fair game to get abused. We had an example of it in the Dáil Chamber today. When Deputy Boyd Barrett made a comment, a retort was made from the other side of the Chamber to the effect that his style of dress was not even good enough for a council chamber. What does it matter about how one looks, how big or small one is, how long or short one's hair follicles or what type of clothing one wears? That is irrelevant. It is a rotten message to send out from the Chamber.

We are all different. Some of us are a little bit more different. When I was going to school I was a little more different — perhaps I still am. So be it. I had to put up with jibes from people. It put pressure on my life and made me feel insecure about who I was as a person. Fifteen years ago I went to the doctor and told him I was feeling a little depressed. I could not really work out what was wrong. Since then I worked out that perhaps many people in society did not accept me for what I was. Fortunately, I have grown up since then and I do not really give a damn about what society thinks. I am who I am and I am proud of it. A lot of young people should take encouragement from that. One can be who one is. One does not have to

[Deputy Luke 'Ming' Flanagan.]

be who they say one has to be in those stupid bloody magazines. Excuse my language but I hate them.

**An Ceann Comhairle:** That is unparliamentary language.

**Deputy Luke 'Ming' Flanagan:** I am sorry about that. Apologies. I do not like the magazines. I cannot think of a word to describe them without going outside the parameters of parliamentary language. They tell people on the front page that it is all right to do this, that or the other but when one opens up the magazine a contradictory message is given. On the front page they say it is all right to be fat but on the inside page they say it is not. They give a lot of mixed messages and confuse people.

What are the solutions? We are not going to find them today but I hope that over the five year term of this Dáil we look for real solutions. We will not solve all the problems but we should adopt the policy of *vive la différence* because we are all different and we should respect that. If abuse is constantly thrown at Members because of the way they look, that will send a signal to young people that if they do not look the same as everyone else then there is something wrong with them when there is not.

**Deputy Mattie McGrath:** I too am very concerned about suicide. It behoves all of us to make a real and sincere effort to get to the root of the problem. I compliment Deputy Neville for his arduous work over many years in this area.

Suicide has touched many lives and is a tragedy for both the victims and survivors. It permeates through the wider family and into the community. Suicide is all too prevalent. Eight out of ten suicides in this country this year will be males. That is what the statistics tell us. I do not have great confidence in statistics because, as the previous speaker indicated, statistics on role models, for example, do not help the situation. Perhaps we need to have more humanity and understanding. We must ensure a greater appreciation of the importance of the human being no matter what role they take in life. We should value all people from a young age to those in old age.

The dominant fact of Ireland's suicide death toll is that it is overwhelmingly male. Any suicide, whether it is male or female, young or old, is a tragedy, but suicide on this island is mainly a killer of men, usually young men. I am concerned about the incidence of single vehicle road traffic accidents. Not enough investigation has taken place into them. Some of the deaths may be from suicide, especially where there are strange types of accidents.

We are very aware of the despair being caused by unemployment. This has been the case for decades. The Tipperary hurling team was buoyant after winning the all-Ireland final last year. Afterwards many of the players returned to unemployment, which was unheard of in previous years. We will have to tackle this in many areas. People who are idle may have too much time to think and may get into a rut and not mix with friends.

We must have campaigns that aggressively target depression in young men. The Choose Life campaign in Scotland has met with no small degree of success in reducing that country's suicide rate. It is good to see O<sub>2</sub> and other organisations coming on board to make an effort. Given that young people spend so much time on social networks, it is good to see the benefits of social networks being explored.

A counselling centre in Peter Street in Clonmel opens on the first Wednesday of every month. It should be open for many more hours. I compliment the counsellors involved. Services such as theirs are needed in every town and in rural areas. There is much work to be done. In

this regard, we should join Deputy Neville in trying to make a serious effort in this Parliament to address this most sad issue.

**Deputy Catherine Murphy:** The first step in resolving any problem is to acknowledge it. It is very important to have this debate. The interest in the debate has been an indication of the concern in all our communities. There is not a Member in the Chamber who cannot describe the impact of suicide on a community, particularly where a young person is involved.

We know young men between 18 and 24 are the most likely to commit suicide. We must bear in mind, however, that suicide is not confined to young people or one gender. Suicide does not just occur in poor economic circumstances because there was a very high rate of suicide during the better times. It is, therefore, a much more fundamental problem than might be supposed.

In 2009 in north Kildare, there was a series of tragic deaths by suicide. As it happened, the victims were mainly girls between 12 and 14. There was a complete sense of panic when the suicides occurred. There was profound sympathy for the families who were and still are coping with the tragedies. They will continue to do so. The suicides had an impact on the community. They occurred during the local election campaign, during which time we were going from door to door and could measure the precise impact. It was important for people to feel there was a measured response and that the situation was not being made worse. It is very important, therefore, that we proceed in a thoughtful and measured way.

For all the criticism the HSE, it did in other guises, put together a response. It had a health promotion day shortly after the aforementioned tragedies. I found this very useful. A group was formed on foot of the promotion day to promote mental health and minimise the risk of suicide. A youth drama project was launched that gave young people the space to articulate their emotions. Very often they feel there is no vehicle for them to do so.

I was very impressed with the north Clondalkin Community Action on Suicide group, which came to the promotion day and made an effort. It felt it gave people the space, confidence and freedom to talk, which is important.

Should it be a surprise that there is a stigma attached to suicide? One need only consider what was done in the early years of the State and prior to its foundation. People were often incarcerated, frequently by their families, when they had a breakdown. There is much work to be done to deal with stigmatisation, which is at the heart of why people are unwilling to talk about mental health issues. This must be addressed, including at community level, in a very meaningful way.

**Deputy Mick Wallace:** The more one considers suicide and the various opinions on how we should better deal with it, it becomes pretty obvious there is considerable divergence of opinion on how we should do so. There are no easy answers. One gets the impression that the psychologists and philosophers have divergent views right across the board.

Three of my young under-16 players in Wexford, whom I knew well, committed suicide over the years. Two people who worked for me committed suicide. The most common characteristic of the five was poor communication skills and the inability to express oneself sufficiently. We need to work on this. There are no easy fixes. The manner in which youths are prepared for life is central to how they perform in life and deal with the problems that arrive on their plate.

Depression comes in many forms and we are told it is strongly linked to the decision to take one's own life. In a two-and-a-half-year period in Wexford, during which time two of my players committed suicide, 45 youths under 25 took their own lives in the county. Of those, 44 were boys and one was a girl. Research shows that girls suffer a little more from depression than



[Deputy Mick Wallace.]

males, yet they are much better at dealing with it. Girls have greater skills than boys in dealing with emotional problems and expressing their feelings. We need to concentrate on this issue. Boys must be taught to be more open and must learn to express themselves better. A problem shared becomes lighter. I note from my own children that girls are much quicker to cry and open their hearts to their friends when they have a problem. This area deserves attention, with particular focus on the early years of childhood. There is a need to develop skills in the areas of problem solving, communication and seeking help in an effort to prevent social isolation, frustration and hopelessness.

There is no doubt that the abuse of alcohol and other drugs is not helping matters. There is a good chance this is linked to the increasing suicide rate because the level of abuse has increased during my lifetime. We must examine this issue.

Schools need information on managing the concerns of young people. It is sad that, for the sake of the few million euro being saved, the number of resource teachers and learning support teachers is being cut. I am not saying any of us knows best how to deal with suicide but surely taking away good teaching facilities and much-needed extra supports from young children cannot be positive.

**An Ceann Comhairle:** I ask Deputies to ensure their mobile phones are switched off because they interfere with the recording of the proceedings.

**Deputy Brendan Ryan:** As this is my first statement to the House, I wish to extend my profound thanks and gratitude to the people of Dublin North for their support in the general election and for the trust they have placed in me. I will endeavour to repay this trust during the lifetime of the 31st Dáil.

I have chosen the issue of suicide prevention on which to make my maiden statement to the House as I strongly believe, as I know all in the House do, that the task of suicide prevention needs increased attention from all sections in our society, including all in the House.

I wish my colleague, the Minister of State, Deputy Kathleen Lynch, well in her work ahead. I thank her for the comprehensive introduction to the debate which she made last Thursday. I also wish to acknowledge the work of Deputy Dan Neville in this area, and the great work in this area of the previous Minister of State, Deputy John Moloney, which I saw at first hand when I was a Member of the Seanad.

For too long, suicide has dwelled at the very edges of our national comfort zone. We are on the verge of changing our approach to this entire issue, and I know it is a priority for the Government to fundamentally improve how we tackle the issue of suicide and suicide prevention. There is no doubt we are experiencing an emergency with regard to suicide. Between now and when we sit in the Chamber next Thursday, a further ten people will have lost their lives to suicide in this country. I am sure all Members will agree that ten people a week, more than one person every day, is a shocking statistic. Even more worrying is the belief that this figure is likely to remain this high, if not climb even higher, given the hardship placed on so many of our citizens by the recent economic crisis.

It remains true that many instances of suicide occur in people with no previous history of mental illness or depression. Rather, it may be the circumstances of life that conspire to leave people in such a distressed state that suicide becomes the best option they can see. The loss of one's job, the breakdown of a relationship, sudden separation from family or circle of friends and other related factors can all lead a person on a path where suicide is contemplated.

We need to arrest the rise in suicides now. In the limited time I have, I would like to discuss three possible areas where I think the Government's suicide prevention strategy can focus.

These are as follows: primary care within the community; raising awareness among children and especially teenagers through direct education in schools; and tackling the stigmatisation of suicide.

With regard to primary care in the community, it is vital, as set out in the programme for Government, that we ensure people have access to psychologists and counsellors in the primary care setting. This will require strengthening the services offered in GP surgeries and local clinics throughout the State. Modernising and improving our health service in local communities will be the front line in our suicide prevention strategy. The deconstruction of the old system of acute cases being sent to asylum-era institutions, such as St. Ita's in Portrane in my constituency of Dublin North, needs to be accelerated. It will be one of my priorities during the lifetime of the Government to ensure Ministers stick to their promises in this regard, and I believe they will. I know the Minister of State, Deputy Kathleen Lynch, will drive this agenda.

It is also vital that we harness and support the important work done by voluntary organisations such as Pieta House. In its short lifespan of five years, Pieta House has counselled more than 3,000 people struggling with suicidal thoughts. Pieta House is just one of many organisations voluntarily providing care to people suffering with suicidal thoughts. We need to include such organisations in our suicide prevention strategy to create a joined-up plan for harnessing the care and compassion these organisations provide.

With regard to education, there must be a commitment from the Government to deliver on the education of young people on the issue of suicide awareness, and schools can play a key role in this regard. There are a number of initiatives we could implement in the short term to raise awareness and to provide a support structure in schools for students who may be at risk of suicide. These include curriculum-based presentations to students, self-reporting for students and school-wide screening for identification of at-risk individuals. Teachers can play a key role, but they must be provided with adequate skills and therefore there must be increased in-service training for primary and post-primary teachers on suicide prevention. It may be asking a lot of teachers to spot every behavioural characteristic of every student. However, if we give our teachers a better chance of identifying a potential child at risk through improved training, then we will save lives.

With regard to destigmatising suicide, we need a change of culture around suicide. We need to treat suicide with care, understanding and support. For too long, suicide has been a dirty word in Ireland. It is a cause of shame, when it should be a cause for empathy and compassion. Our local and national media outlets have a responsibility in this regard to report on suicide with due understanding and intelligence. I must commend the national campaigns launched by the National Office for Suicide Prevention, including some very powerful national TV advertisements aimed at young people, and the development of the *letsomeoneknow.ie* website.

The Government needs to continue to support such campaigns which confront the stigma surrounding suicide. Only through understanding and care at all levels, from the personal to the political, will we ever be able to successfully tackle suicide. I wish the Government well in this regard.

**Deputy Gerald Nash:** I welcome the opportunity to make a contribution on this important debate. I wish my colleague, the Minister of State, Deputy Kathleen Lynch, well in the task ahead. I know she has a deep personal interest in this matter. I also pay tribute to the groundbreaking work done by Deputy Dan Neville over the years on highlighting this issue. I recall approximately 15 or 16 years ago when I was involved with the students' union in UCD I invited Deputy Neville to speak to students and he made a very interesting and inspiring presentation.

[Deputy Gerald Nash.]

Suicide rates in this country have reached disturbing levels. A national consensus is required on a determined, forthright and inclusive national effort to save lives in the face of this crisis. The CSO records that in the second three months of 2010, 127 people took their own lives. The deeply troubling rates of suicide continue to climb each year. On its website, the National Office for Suicide Prevention refers to these climbing figures as a “worrying trend” and I completely agree. It is, frankly, a national emergency which requires those of us in positions of responsibility to build towards a comprehensive national response.

What makes the situation particularly disturbing is the fact that the frequency of suicide is highest among men in their 20s. We are all aware of the emerging trend whereby suicide occurs at a much younger age than was previously the case. This is a deeply troubling fact which requires the attention and focus of all of us.

In terms of mortality rates, recorded incidents of suicide exceed the number of deaths on our roads, and this has been the case for a number of years. When we switch on the news on a Sunday morning, it is not uncommon to hear of multi-vehicle car crashes throughout the country claiming multiple young lives. That same weekend there may have been several cases of people having made the tragic decision to take their own lives. Suicide is a different matter entirely; it is a relatively silent, but equally painful phenomenon and experience for those who have been left behind. We do not hear about it the same way as we do about road crashes. It is treated differently by the media for very legitimate reasons. I want to acknowledge the responsibility shown by the national and local media throughout this country in terms of the sensitivity demonstrated and expressed and the care and professionalism shown in general in coverage of incidents of suicide, its aftermath and how the matter in general is dealt with.

An enormous amount of work is done by the National Office of Suicide Prevention and organisations such as the Save Our Sons and Daughters organisation based in my constituency. They are all dedicated to dealing with this multi-faceted and complex social challenge.

As a public representative, since this deep recession hit I have seen a sharp increase in the number of people experiencing serious distress and mental health difficulties. Some have confided that they have at one stage or another considered taking their own lives. Public representatives are in the front line. It is important that Deputies and all public representatives are guided by the relevant agencies to be able to identify people who are at risk and in difficulty, and in so far as is practicable, given the confidential nature of the relationship Deputies have with their constituents, to direct them to those who can support them best. It would be more than useful if agencies made themselves available so we could all work together to try to develop a model and framework in which we would be better equipped to deal with the issue ourselves and ensure we could direct people the relevant support and agencies.

We need to break the silence and tackle the stigma around mental health. We must engender a culture of openness and frankness in which discussing one’s mental health is seen in some respects as a strength rather than a weakness, as has unfortunately been the case in Irish society until now.

There will soon be an opportunity to embark on a review of the Mental Health Act 2001 and we should use that to do some simple and straightforward things. We must emphasise the need for mental health services to be brought into the open and we must resource community-based organisations to better engage with those who need mental health service support. I accept that progress has been made already in this regard but far more must be done. I look forward to working with the Minister of State and Members of the House who have an interest in this issue on progressing this and ensuring we have the best possible services for those who need them most.

**Deputy Anne Ferris:** I welcome the opportunity to speak on this important issue, which has long been subject to stigma in society in general. I congratulate my colleague, the Minister of State, Deputy Kathleen Lynch, on her appointment. I am delighted she has responsibility for this area.

To say the number of people who commit suicide every year in Ireland is a national emergency is an understatement. Indeed, this is illustrated by the 527 men and women who took their own lives in 2009, an increase of 24% over the previous year. Based on the latest figures available for the first quarter of 2010, it appears there has been a further increase on the 2009 figures. It is clear that the ever-increasing numbers can be correlated to the deterioration in economic conditions. Many thousands of people have lost their jobs and their homes. Many more are struggling to hold on to what they have, while they see friends and family leave their community for foreign shores. This is certainly true for the communities in my constituency. From my conversations with representatives of the chambers of commerce in County Wicklow, it is clear that companies are on a knife edge as they struggle to stay in business and keep their employees in jobs. Far too many companies have been forced to close down and this has put a huge burden on local people.

The depression and despair these losses have caused have not been met with adequate support services. The previous Government not only failed to look after the economic well-being of the nation, but also failed to provide the funding and joined-up thinking necessary for proper mental health facilities. Sadly, the soaring numbers of those who have taken their own lives do not take account of the number of failed attempts, which is estimated to be ten to 20 times the number who have died. Indeed, even the most recent official figures available are likely to under-report the numbers. Sourcing accurate data is undermined by many factors, including insufficient evidence to determine intent and concealment for religious reasons, fear of stigma and for life assurance.

It was also startling to learn that in most European countries more people die from suicide than from road accidents. The reason there is such an increase in the incidence of suicide can certainly be attributed to the economic downturn. The previous Fianna Fáil Government left an economic mess that must be dealt with as quickly as possible. The number of unemployed has reached 14.7%. The last time unemployment reached that level was in April 1994. More businesses are seeking credit lifelines as they seek to keep their heads above water. This downturn, coupled with job losses, has left many families struggling to pay mortgages. Indeed, the negative equity that home owners face has become impossible to ignore.

Problems in the mental health services sector were always an afterthought in the Celtic tiger economy. Gross income inequality was allowed to grow unhindered and, perhaps, it is no surprise that Dickensian hospitals sufficed as modern mental health infrastructure. It is also no surprise that other necessary resources, from establishing prevention programmes to training front line professionals, have gone by the wayside. The challenges faced by the new Government, therefore, are not small. Equally, however, they are not insurmountable.

The programme for Government contains a range of measures that will go some way towards reducing the number of people who take their own lives. Recommendations incorporated in the A Vision for Change programme will be followed. Among the measures in the programme for Government is the introduction of universal health insurance, which will ensure that mental health services will be included as part of the standard insurance package offered. The services that people can access will also be of greater value due to the commitment to ensure that general practitioners will have better training in mental health issues. Access to these and other professionals such as psychologists and counsellors will hopefully decrease the startling suicide

[Deputy Anne Ferris.]

figures. Unsuitable psychiatric institutions will also be closed and more appropriate community based facilities will be developed.

Organisations such as the Wicklow Mental Health Association in my constituency are swimming against the tide, but still manage to provide much needed services. In April and May this year it is providing training programmes, and information on these can be accessed on the association's website. Another organisation, Suicide or Survive, provides the Eden programme. It is to be congratulated on this as well. Amnesty International has put forward recommendations in this regard and I urge the Minister to take them on board. Support and acknowledgement of national programmes such as See Change Ireland, which challenges the stigma surrounding suicide, is also important.

We must deal with the despair and depression engendered in people as a result of losing their jobs and homes and seeing the effect of emigration on their friends and family. The programme for Government provides commitments in this regard, not least the jobs initiative which is due to be launched in May. Overall, these strategies demonstrate the joined-up thinking that is necessary for meaningful reform, and meaningful reform is needed. Suicide is preventable, perhaps not 100% of the time but a significant reduction can be achieved. If the same resources that have been put into reducing the number of road deaths were put into reducing the suicide rate, there would be fewer suicides and fewer families would have to suffer.

**An Ceann Comhairle:** I congratulate Deputy Brendan Ryan on his maiden speech. I call Deputy Browne.

**Deputy John Browne:** I thank the Minister of State, Deputy Kathleen Lynch, for putting this issue on the agenda for debate. I also wish her well in her new office. She has a deep interest in many issues and I am sure she will do a good job in this area.

The first line in the document See Change speaks about changing minds about mental health problems in Ireland. Minds have been changed in recent years. I grew up in Enniscorthy town where St. Senan's Psychiatric Hospital is located. When I started attending the local CBS school the hospital was surrounded by huge walls. Many of us young children at the time said the hospital was where the mad people were. It was only when we grew older that we realised it was not where mad people went but where people with a mental illness went. The nurses and doctors in the hospital worked hard, in difficult times, to try to change the perception of mental illness in that area of County Wexford. They also tried to work on cures for people. If one has a physical illness, one can get a cure and it is important to convey the message that if one has a mental illness, there are people to help one on one's way back into being part of society.

As Deputy Wallace mentioned, Wexford has experienced its share of suicides in recent years. It probably has one of the highest rates of suicide in the country. It is very alarming. In the past four months nine people, most of them young, have died from suicide. It is a great concern. The county has also experienced some terrible tragedies in the last two years in which entire families died. That engendered a doom and gloom in the county. Among many communities there was a huge sense of hopelessness and of not knowing what to do. People were seeking answers as to why such tragedies happened.

It is important to realise that suicide knows no boundaries. An analysis of the suicides that occurred in Wexford show that some of the people came from very well off families while others were from families that were not so well off. The people concerned were both young and old. There is no real pattern, which is, perhaps, one of the reasons it is so difficult to deal with the problem of suicide and to find solutions. The one pattern that emerges is that suicide

occurs mainly in the male population. That is the case in County Wexford and I am sure it is the case in other counties also.

I acknowledge the work Deputy Dan Neville, both as a Senator and Deputy, has been doing in this area through the years. In this House he has single-handedly tried to raise awareness of the issue of suicide. We must also confront the fact that a stigma was attached to suicide in the past and we are trying to get away from that. It certainly was not good. It nearly turned people and families into outcasts in communities where suicide was involved and this was an unfair way of dealing with the issue.

St. Senan's hospital is now more or less closed, although it is not closed in the way we wanted it to be and I hope the Minister will do something that the previous Minister from my party did not do. We had many arguments and rows about the closure of St. Senan's hospital and the lack of an acute admission unit for those suffering from depression in the county. A Vision for Change spoke of facilities within the local area, but in recent months in Wexford, given that St. Senan's is closed, patients must now go to Newcastle in Wicklow or to Waterford. We fought the good fight with the then Minister of State, Mr. John Maloney, and we were not successful. The matter needs to be revisited, and I do not say that in any political way. As a group of Oireachtas Members, we made a strong case for the retention of the admission unit in Wexford. A new 50-bed unit is to be built at Wexford hospital over the next year or two and I ask the Minister to look seriously at providing what we were promised — a designated unit within the county where people can go. It is a long way from north County Wexford, or, indeed, from any part of Wexford, to Waterford. In addition, the Waterford building is totally unsuitable. Already in the past couple of weeks those referred to Waterford have been returned within an hour or two without getting the treatment they deserve.

With the Ceann Comhairle's permission, I will refer to a letter I wrote recently to the HSE in Wexford on behalf of a mother who contacted me about her daughter, who was recently a patient in Wexford General Hospital because she was suicidal. She was sent home without any proper care or backup support from the HSE. She was informed leaving the hospital that a HSE liaison officer would call to see her on the Monday — I think she went into the hospital on a Friday. That did not happen despite the fact that she was still very ill. Eventually, after a number of telephone calls to the HSE in Wexford, the family were informed that she would be seen on 14 April, that is, two weeks after she was admitted to Wexford hospital because she was suicidal. The family are concerned that the hospital would send her home in her condition and that the HSE personnel in Wexford ignored their calls for help. They are seeking an explanation and that is what I wrote to the head of the HSE in Wexford. This is a common complaint in the south east, that people are not getting a proper service from the HSE.

Depression does not stop at 5 o'clock on a Friday evening. I am not criticising the new Government because we did not deal with it either, but every county needs some kind of contact point, available 24 hours a day, seven days a week, where those suffering from depression or suicidal tendencies would have a form of backup service. General practitioners and CareDoc do their best to provide some kind of service, but it is important, if somebody is admitted to a hospital and is sent back home, that there is some contact point within the HSE so families can express their concerns or a matter can be dealt with as quickly as possible.

A number of organisations have been set up in recent years because of the situation in Wexford. These include Touched by Suicide in Enniscorthy, a voluntary group which set up its own good-as-new clothes shop. It raises funds and helps out families, making moneys available for those visiting hospitals, etc. It also raises awareness. Each month, or every two months, it holds an all-night candle-lit vigil on Vinegar Hill to make people aware that there are groups and organisations to which they can turn to talk and seek help.

[Deputy John Browne.]

The mental health association is another voluntary group in Wexford — I am sure it is right across the country — led by Mr. Joe Casey, the former director of nursing at St. Senan's hospital. It does tremendous work promoting mental health and a renewal model. Representatives visit schools, organisations and groups to talk about mental health and the need to see it as something that should not be hidden away but brought to the front, and also that if one has a problem, help and support is available.

They have also led the way in closing wards in St. Senan's, placing people in communities and asking local authorities to provide houses. This is where I and other politicians in Wexford have been deeply involved, particularly as members of the county council and the town councils. I remember everyone was dumbfounded when the first request was made to Enniscorthy urban council to provide two houses to the mental health association for patients who wanted to leave St. Senan's. We took the decision to make the two houses available in the town, in a place called Moran Park, and the former patients fitted into the community. As a result, we have houses in Oilgate, Glenbrian and different parts of the county where people reside in independent-living accommodation, having left St. Senan's. People realised the former patients were not some kind of monsters, but ordinary individuals who wanted to live in the community. With the backup of the outreach nurses, they are able to live in and become part of the community. They are involved in the local GAA clubs, go out for a drink and participate in whatever other social activities they want. Great credit is due to the mental health association in that area, and particularly to Mr. Casey and others who have been working almost full-time since they retired from St. Senan's to ensure these people are looked after. They also ensure that such houses continue to be built and allocated by local authorities and also that land is made available for the mental health association to build houses.

I was struck by the recent announcement of President Mary McAleese when she set up a social initiative with the GAA and the president of the GAA, Mr. Christy Cooney, a Cork man — although, in fairness, the IRFU, FAI and GAA have also been working flat-out to help people in this area. I am glad to say that my club in Enniscorthy, Rapparees Starlights, was one of the first to implement the social initiative for older men, although the women were not happy that there was a men-only section within the club. The 100 people at the social initiative launch in Enniscorthy were each presented with certificates. They were all over the age of 50 and they have held a number of meetings since then. Last week, they went to Croke Park by bus and then went for tea in the afternoon with President Mary McAleese. The group meets on a regular basis and some of them have rejoined the club they left a number of years ago. They are now coaching young people and being actively involved again.

We need to promote such initiatives. I would like to see the FAI, the IRFU and the GAA coming together to launch a campaign similar to the road accident prevention campaigns. We are very much aware of deaths due to car accidents, but figures in recent years show that the number of people dying from suicide is probably 100% greater than the numbers killed on the roads, but there is not the same awareness. That is an issue we need to deal with and there needs to be more television programmes about it. We need more high-profile persons involved in raising the problems of suicide and depression because it is an issue that can be dealt with. It is important that we send out the message that there is always someone there to talk to. In our own small way, we try to do this in GAA, soccer and rugby clubs and other organisations. If one speaks at a function, one says that people should remember that there is always someone there to talk to. We need to get that message out.

Many Deputies have outlined the facts and figures and I will not go through all of those.

The stark reality is that 527 deaths by suicide were registered in 2009, which is probably twice the number killed in road accidents. We need to highlight these issues and we must be able to tell those who suffer from depression that help is available for them. Carn House in Enniscorthy does a tremendous job but we also need to consider developing a 24/7 service through out country. I accept that would be expensive but perhaps it could be developed in conjunction with funding from pharmaceutical companies and the other organisations which are making huge amounts of money from the Department of Health and Children. The service could be rolled out as a public private partnership.

Some people believe there are too many individual organisations working in this area and perhaps we need to pull them together but we can deal with this issue if we take the right attitude. Suicides bring great heartache to communities. I do not have all the answers but we can work together to solve the problem and I look forward to hearing the Minister of State's views. It is important, however, that a 24/7 service within the HSE be considered.

**An Leas-Cheann Comhairle:** Deputy Paudie Coffey will be sharing time with Deputies Brian Walsh and Anthony Lawlor. The Deputies have five minutes each.

**Deputy Paudie Coffey:** I welcome the opportunity to contribute to this important debate on suicide. I carefully chose this subject for my maiden speech in the Dáil because it has a huge impact on many families. I am sure many of my colleagues have had personal contact with families that suffered from suicide.

I thank the electorate of Waterford for putting their trust in me to represent them in Dáil Éireann. I will do my utmost to promote the best interests of Waterford and the country in this House at every opportunity I get. I congratulate the Taoiseach and his Cabinet, as well as the Minister of State, Deputy Kathleen Lynch, who has a deep interest in mental health issues, and wish them the very best as they confront the serious economic challenges we face as a country. We are all behind them and we are ready to assist and support them in their work.

When discussing suicide, we need to take a careful look in the mirror in terms of how we developed as a society over the past several decades. When I was growing up in the 1970s, my mother was a public health nurse and I recall many occasions when people from our community knocked on our door to seek my mother's help. They were looking for a listening ear rather than the medical assistance for which my mother was qualified because they were often suffering emotional turmoil from crises such as family break-ups. When public health nurses, teachers, doctors and gardaí lived amongst the community, they offered strong and accessible leadership. We no longer see that in our society.

We can only imagine how desperate people feel when they reach the point of suicide. I have lost close friends to suicide and I have often asked myself what I would do if I had been around at that moment. Would things have been different if my friends had access to a listening ear? Today, many people's doors are closed to their neighbours and residents of many housing estates do not know who lives two or three doors away from them. That is the result of the society that developed during the Celtic tiger years.

I recognise we need services but listening must start in our own families and communities. We need to be there for one another. Several speakers made an important point about the importance of networks in our communities, whether GAA clubs, the ICA or Muintir na Tíre.

The loss of six good friends to suicide was the spur for me and others in my community to take action. I was very involved in the local GAA club and with the co-operation of the HSE and other suicide experts we developed a ten week course to teach community leaders to identify and assist those at risk. The course helped us to understand that it is not always



[Deputy Paudie Coffey.]

necessary to seek help from a service or agency when people are in need. All of us would like a 24/7 service but a listening ear is most important when people reach that point of desperation.

I commend Deputy Neville for putting the issue of suicide onto the political agenda. However, few of the recommendations from the 2009 report of the Joint Committee on Health and Children, with which he was closely involved, have been implemented. Our challenge in Government is finding ways of implementing these recommendations in order to assist those who are desperate enough to take their lives. Every politician in communities across the country, whether urban or rural, bears a responsibility for assisting these individuals. I welcome the Minister of State's contribution to the debate and I look forward to supporting her in addressing the challenges.

**Deputy Brian Walsh:** As a fellow county man, this is my first opportunity publicly to congratulate the Leas-Cheann Comhairle on his appointment and I wish him every success. I also congratulate the Minister of State, Deputy Kathleen Lynch, on her appointment and acknowledge the hard work and commitment of her predecessor, John Moloney, who tirelessly championed the issue of suicide and mental health during his time in the House. Deputy Neville's efforts in this area over many years similarly deserve recognition. He was a lone voice when it was not politically correct to speak about the issue.

Our country faces many challenges at present, not least the financial circumstances in which we find ourselves. However, the issue of mental health is one of our greatest challenges. Economic activity operates in cycles and produces periods of boom, bust and renewed growth. I do not doubt we will return to prosperity but when we lose a person who suffers from depression, that life is gone forever. Statistics show that an increasing number of young people are dying in this manner. In 2009, some 529 lives were lost through suicide, an increase of 24% on the previous year, and preliminary statistics for 2010 indicate that the number will increase further. It is worth noting these are only the recorded numbers because there are suggestions that unofficial figures are even higher.

Death by suicide has a devastating effect on the wider community as well as on close family and friends. The tragedy is increased because we know it is preventable. Those who are left behind experience not only the normal emotions one would associate with bereavement but also feelings of confusion and anger, and questions about what they could have done differently.

I welcome the Government's commitment to *A Vision for Change*, which was published by our predecessor, and the promise of additional resources for the area. We need to change fundamentally our attitude to mental health and suicide. I concur with my colleague, Deputy Coffey, in regard to how society has changed as a result of the Celtic tiger. A fundamental change in attitude is needed. We can start by changing the language we use when dealing with this issue. We say a person commits suicide as if to suggest he or she has committed some sort of a crime. It was a crime in the past but it is no longer one and we should lose that type of language. We also say a person took his or her own life as to suggest he or she had a choice in the matter. Somebody who is profoundly ill and suffering from depression has no choice but simply cannot continue, so we need to lose the term "taking one's own life". If a young person gets into a car, is involved in an accident and unfortunately dies, we do not suggest he or she took his or her own life nor do we suggest a person who has been a heavy smoker over the years, gets lung cancer and dies took his or her own life. Therefore, why do we use that term when someone dies as a result of depression?

We need to remove the stigma and convey the message that people should not have to hide, or be ashamed of, suffering from depression. It is an illness from which many people suffer. We must encourage people to talk openly about it and to seek help. We should promote

initiatives to get people to talk about their difficulties and problems. Perhaps the Minister of State should consider a national day of mental health awareness and invite professionals into schools and colleges to talk to young people and suspend the curriculum for a day or a half day. I know from experience that there would be a very willing audience. During my term as mayor of Galway, I organised a youth conference on a range of issues relating to young people from career prospects to mental health, which was a big issue, to bullying to diet and fitness to other issues of concern. They came in their droves to listen to the speakers on mental health. That is something the Minister should consider.

The banks have been blamed for much of the economic difficulty in which we find ourselves. Some banks are now contributing to mental health awareness. Bank managers became involved in an orgy of credit and were very quick to extend loan facilities to people, possibly without going through due diligence or in a prudent manner. We all remember getting letters or constituents approaching us about letters asking us if we needed a new car or an extension to our homes and telling us to sign a form, send it back and that the cheque would be sent to us within days. That kind of reckless orgy of credit was driven by a bonus culture which existed in some banks.

The people who wrote those letters and extended those loans are now placing huge financial pressure and strain on people. Helicopters were sent to bring large or commercial customers to the races or to play golf. They are now sending the bailiffs in lorries to collect personal assets and so on. I encourage the banks to demonstrate a sense of leniency and fairness when dealing with their customers.

**Deputy Anthony Lawlor:** I congratulate the Leas-Cheann Comhairle on his elevation to his position and the Minister of State, Deputy Kathleen Lynch, on her appointment. She has a daunting task ahead of her. I also wish the Taoiseach and his ministerial colleagues all the best in trying to pull this country out of the mire. As this is my first speech, I thank my wife Margaret for her support during the election campaign as well as my family and friends, Fine Gael members and the people of Kildare North who gave me the responsibility of being their representative in Dáil Éireann. I will raise the issues of concern to them and will ensure that issues, which are important to the country, are brought to the fore in the Dáil.

I thank Deputies McGrath and Neville for raising this topic in the Dáil. One of the issues is that people do not communicate and talk about suicide. When people are in a black hole or see no light at the end of the tunnel, they want to be able to talk to someone about it and yet people shun individuals who may be in this state of depression. It is vitally important we remove the stigma associated with people who take their own lives and give them the dignity and burial they deserve.

On the morning of the election, a young woman came into my office to talk to me. She had lost her brother through suicide approximately a year before. She cried in front of me trying to explain the pain through which she and her family were going. She indicated to me that in the nine months before he took his own life, he was suffering from depression and no matter what people said to him, he could not see any way out of the black hole he was in or any light at the end of the tunnel.

My wife Margaret is a volunteer counsellor with Pieta House. When I visited that organisation several weeks ago, I learned of the serious situation in which it finds itself in regard to funding. It is amazing that the Road Safety Authority is allocated €40 million each year for the prevention of road accidents and yet only €5 million is allocated by the HSE to prevent suicide. Almost two people take their own lives each week. Many car accidents — approximately 38% are single vehicle road fatalities — could also be associated with people taking their own lives.

[Deputy Anthony Lawlor.]

A number of organisations care for people. Aware makes all of us familiar with what is going on before people commit suicide. Console helps the families of the bereaved. Organisations such as Pieta House help those on the verge of committing suicide. I met the director of Pieta House, Ms Joan Freeman, and when I went into the reception area, I was struck by the fact that most of the signs were about fund-raising. I encourage all Deputies to take what is known as the walk from darkness into light in early May and to raise as much funding as possible for those who listen to people on the verge of committing suicide.

**An Leas-Cheann Comhairle:** I congratulate Deputies Paudie Coffey, Brian Walsh and Anthony Lawlor on their first addresses in the Chamber.

**Deputy Seán Crowe:** The last time this issue was discussed in the House, I received a telephone call from a friend whose sister-in-law of 20 years of age had taken her own life. As one does, I turned up at the church as did large numbers. I do not know how many funerals I have attended of people who have gone down this road. Everybody was a bit stunned because this girl was full of life. People talked about how lovely the person was and that they did not see the signs or the triggers. Families ask what if they had done something else, what if they had seen the signs and so on. We do not have any answers for them, or certainly I do not.

I am conscious that there are children in the Visitors Gallery. At some stage in their lives, someone belonging to them or close to them will go down this path. The responsibility we have as legislators and public representatives is to come up with solutions. Deputy Mick Wallace referred to the divergence of opinion on how to address this. I remember a former Member of this House who had the attitude that people who committed suicide were “selfish Bs”. That is a human reaction, but any of the people I knew who went down that path were not summed up by that description. It did not sum up their lives. While it is a human reaction, the description does not help. It does not help their families and does not turn people away from following that path. That attitude needs to be consigned to the past.

Prevention is the key. People talk about what we can do and there is a great deal we can do. If someone comes to see us, help is available. In many cases, people do not know how to access help from organisations such as Teen-line, of which I am a patron. I knew Darren Bolger who took that path. I know his family well and the great work Maureen Bolger has done as an advocate for change. She works with schools and talks to young people. I refer also to Samaritans, the volunteer services, Pieta House and the national suicide helpline. It is a matter of supporting these services but also of changing attitudes in society. If someone in a family goes down this path, it is not a dirty secret. People need to talk about this. The profile is of young men of a certain age and we must consider what we can do.

I will give a few examples to show how the system fails. Last year a young lad from a neighbouring constituency took part in a play as part of a suicide awareness programme. Having taken part in it, one would have expected him to realise the pain and suffering his family, friends and colleagues would go through, but he ended up taking that path. On his first anniversary another kid from the same school took that path. Support is available in that school. I asked one of his schoolmates how he felt and how he was affected. He told me support was available but that if they wanted counselling, they slipped a note under the door of the school principal. Then they were called out of class. If one is not a hard chaw — many of these kids are not — they will be asked why they were called out and the principal wanted to see them. Young men and boys do not want people to know that they need counselling or help. The system in place in that school does not work.

Friends of mine from a local school came to see me. The mother had been sorting socks and jocks and came across a note written by a young lad of seven years of age. It suggested he was being bullied in school and was thinking of committing suicide. The family had been to the school on three occasions to deal with the matter. They asked me, as a public representative, what I would recommend. I recommended contacting the school board. In the end, they moved the kid out of the school and moved out of the area. Thankfully, he is a survivor and has not gone down that path.

Another case affected me greatly. Before I was elected for the first time, a colleague of mine took the path of suicide. His wife rang me at 7 a.m. to ask me if he had arrived at my house. I told her I would turn on the lights and draw the curtains in order that he might come in. I went over to their house and a young man was lying in the field. I wanted to identify the body because I knew it was him. However, given that he had shot himself, the Garda Síochána was interested in how he had access to a weapon. No one knew. He had previously tried to throw himself under a bus. He had taken alcohol and tablets and locked himself in a toilet in one of the local shops. He had been thrown out and then tried to throw himself under a bus. He ended up in the accident and emergency unit in the local hospital before being released and sent to his GP who gave him a prescription for tablets. Ironically, he was the kind of guy who would not take a tablet if his life depended on it. My point is that the system did not work in this case and many others.

What does a family do when they are concerned about a loved one who may be self-harming or considering self-harm? One cannot section an individual in every case. It is a matter of telling the person concerned that help is available, that he or she is loved and that there is an alternative. I have talked to survivors, people who had decided to go down that path but were saved or changed their mind.

As legislators, there is much we can do and some of it concerns accident and emergency units. One volunteer was involved in counselling and came across a young girl of 15 years who talked about taking her own life. The volunteer talked to her for hours on the telephone and asked her to come into the office. As there was no adult at home, she was brought to the accident and emergency unit. Having built up a relationship with the girl, the volunteer who acted as advocate could not remain with the girl because there was no link. The accident and emergency unit was bedlam at a time, but the girl had been brought in on her own. I raised this point with Mr. Geoff Day. If there was a chill room as part of the hospital system, an advocate could remain with the person concerned. There is a room for bereaved family members, but that is not normally situated beside the accident and emergency unit. If it was located in a secure part of the hospital, it could be used. Most hospitals have such rooms, but there is a need for the system to realise that when people are vulnerable, they need to sit outside the madness of the accident and emergency unit. We all know such stories.

We must set targets. Other speakers referred to the number of deaths on the roads and the amount of money spent in tackling that problem. There is no urgency in tackling this issue. We must set targets to reduce the figures. Opinion-makers in society must speak out and tell people help and support services are available. We must also train people to identify triggers. They need to be trained to identify those people showing signs of going down that road. We must support all the different groups working in this area. I do not believe we need legislative change, rather we need to change attitudes in Irish society, including the attitude that young men should not cry.

### **Environment (Miscellaneous Provisions) Bill 2011: Order for Second Stage**

Bill entitled an Act to amend and extend the Air Pollution Act 1987, the Waste Management Act 1996 and the Freedom of Information Act 1997 and to provide for related matters.

**Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan):** I move: “That Second Stage be taken now.”

Question put and agreed to.

### **Environment (Miscellaneous Provisions) Bill 2011: Second Stage**

**Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan):** I move: “That the Bill be now read a Second Time.”

I am pleased to bring the Environment (Miscellaneous Provisions) Bill 2011 before the Dáil today. This Bill has been the subject of much speculation and discussion and has been a long time in gestation. Debate on the Bill has been driven by the wider waste policy landscape. While I wish to focus today on waste policy, I will also later set out the other elements of the Bill as published and some of the amendments I propose to table on Committee stage.

As Deputies will be aware, waste policy has been the subject of uncertainty and debate for many years. A review of waste policy initiated in 2007 failed to result in the adoption of any clear new waste policy. Therefore, a significant degree of stagnation developed in the waste sector and resulted in an uncertain investment environment. This uncertainty must end and I intend to use the opportunity today to set out the broad outline of the Government’s approach to waste policy.

We have clearly signalled in the programme for Government that our policy will be based on the hierarchical approach to the management of waste, an issue to which I will return later. Our approach will provide clarity and will form the basis for a new waste policy which I will be bringing to Government later this year. The Bill I am presenting today will contribute to the development of that policy and to meeting Ireland’s EU obligations in relation to the management of our waste.

I want to see effective, efficient and quality waste services being provided to business and householders alike. The guiding principles which will be used to develop our waste policy are in line with the approach set out in the programme for Government. They will adhere to the EU waste hierarchy and favour a coherent approach to waste management that minimises waste going to landfill and maximises the resources that can be recovered from it.

The policy will have a number of key features. It will be designed to minimise the volumes of waste generated and to extract the maximum value from those wastes which do arise; aimed at delivering a positive environmental outcome and maximising the collective well-being through ensuring efficient, effective and progressive waste services for consumers and businesses; will be calibrated to the immediate demands Ireland faces and to the long-term challenges; founded on a firm, evidence-based understanding of the many scientific, economic and social issues which are inherent elements of the waste policy discourse; will be consistent with the cornerstones of National and European policy, including the waste hierarchy, the principle that the polluter pays, sustainable materials management and the urgent imperative to reduce greenhouse gas emissions; will be in keeping with the complementary roles which the private and public sectors can play; designed to facilitate necessary investment in infrastructure, within an appropriately regulated waste market framework; and will be sufficiently flexible to respond to emerging developments in relation to technology, operational practice and wider thinking in the waste management policy realm.

We need to make progress and to make up for lost time in driving forward our management of waste. In doing so, we must be realistic about our starting point. As clearly indicated in the programme for Government, the internationally recognised waste hierarchy is the bedrock on which our waste policy must sit. In an early move to underpin this, I have recently signed

regulations to complete Ireland's transposition of the waste framework directive, giving statutory recognition to the hierarchy in Irish law. Taking that forward, and looking at how we are performing by reference to the hierarchy, the stark message that jumps out is that Ireland is overly dependent on landfill. Despite the very significant progress that has been made over the last decade, we are still sending more than 60% of our municipal waste to landfill. Compare that to countries such as Sweden and the Netherlands where only 1% of municipal waste is landfilled and it becomes abundantly clear that we have significant work yet to do. Accepting the urgent need to make a rapid and significant move away from landfill must be our initial step on the road to the provision of a diverse range of waste treatment options.

*Notice taken that 20 Members were not present; House counted and 20 Members being present,*

**Deputy Jerry Buttimer:** I thought the Punch and Judy show was over.

**Deputy Phil Hogan:** Ireland already faces significant challenges in meeting certain of its EU targets. In 2009, we sent just over 1 million tonnes of biodegradable waste to landfill. The maximum amount of such material that can be sent to landfill in 2013 is 610,000 tonnes and will be only 427,000 by 2016. Our planning to meet these limits takes place against a background of landfill gate fees at record low levels. Currently, disposal, which is the most environmentally unsound option for dealing with our waste, is the cheapest. That situation is not sustainable.

A significant element of the response to this situation resides in the landfill levy. Greater flexibility in setting the levy will help to ensure a deterrent effect which will drive material away from landfill. The Bill before the House, once enacted, will contribute to ensuring waste is diverted from landfill, through higher landfill levies. It will also encourage the development of alternative treatment options to provide choice in the market and to deliver better environmental performance.

I mentioned the importance of clarity and to that end I today announce that, subject to the enactment of the Bill, the landfill levy will rise to €50 per tonne from 1 September 2011. I also plan to increase the levy to €65 per tonne from July 2012 and to €75 per tonne from July 2013. By announcing these rates today, I am providing the waste sector with the certainty it needs to prepare for the changes these increases will bring.

Another key issue on which the waste sector requires certainty relates to the application of a levy to incineration facilities. On 31 March, I completed Ireland's transposition of the waste framework directive by signing the European Communities (Waste Directive) Regulations 2011. I have, therefore, been considering the waste facility levy proposal in that context and will make known my decision on Committee Stage which I hope can be accommodated shortly after the Easter recess. I make it clear that I have not completed the review of the Hennessy report which deals specifically with the proposal by Dublin City Council and Covanta to build a waste to energy facility at Ringsend. I am awaiting advice from the Attorney General in this regard.

Given the pressing need to move forward in complying with the landfill directive limits and to apply a range of measures to achieve compliance, my Department will complete a regulatory impact assessment on household food waste regulations. Regulations would be designed to divert such material away from landfill primarily through the brown bin system. I expect to conclude this assessment and announce my decision on the regulations before the summer recess.

The management of residual waste is only one part of the jigsaw. In line with the commitment in the programme for Government to move to competition for the market in household waste collection, I will commence a regulatory impact assessment next month to progress this pro-

[Deputy Phil Hogan.]

posal. This is a change supported by a number of analyses of the Irish waste market. I signal at this point my intention to include all stakeholders in this assessment process.

In addition to these regulatory impact assessments, I am initiating a review of existing producer responsibility schemes, with a particular focus on packaging, in light of commitments in the programme for Government. I want to ensure that such schemes deliver for their members and for Ireland in complying with national and EU legislation. The Bill also provides greater flexibility in setting the plastic bag levy, a tax which set the example for best international practice in waste prevention and minimisation. The level of plastic bag usage can fluctuate. To provide for a mechanism to respond to market conditions, I propose to amend the provisions of the Waste Management Act dealing with the plastic bag levy. While I have no immediate plans to increase the levy, I will keep the matter under review and keep a close eye on consumer usage and the preponderance of plastic bags in litter arising.

The Bill, of its nature, will deal with a variety of issues in its final form. As published, it provides for changes to the Air Pollution Act, the Waste Management Acts and the Freedom of Information Acts. There are four parts in the Bill, which contains nine sections, and I will refer in some detail to the main provisions.

Part 1 contains the standard preliminary and general sections. Part 2 provides for an increase in the monetary penalties under the Air Pollution Act 1987 and for the introduction of a system of graduated fixed payment notices, formerly known as on-the-spot fines, for certain offences under the Act. These measures will help to protect air quality in our towns and cities by supporting the enforcement of the smoky coal ban by local authorities.

Regulations under section 53 of the Air Pollution Act provide for a ban on the marketing and sale of bituminous or smoky coal in certain urban areas. It was first introduced in Dublin in 1990 and was subsequently extended to Cork, Limerick and other urban areas typically with a population of approximately 20,000. The measure has played a significant part in the improvement of air quality in urban areas in recent years. The success of the smoky coal ban is a good example of the positive effects environmental legislation can have on our health and quality of life.

While the ban has largely been effective, I am aware from our partners in local government as well as from members of the industry representative organisation, the Solid Fuel Trade Group, of some difficulties in the enforcement of the ban. There is also some evidence of a drop in sales of smokeless fuel over the past four to five seasons, while sales of bituminous coal have held up or even increased.

My Department has consulted extensively with local authorities to see how best to support the smoky coal ban and to safeguard and, where necessary, improve air quality in our urban areas. The amendments to the Air Pollution Act which are contained in this Bill are part of the outcome of this process. I intend to consult on further supplementary measures to ensure the continued effectiveness of the ban in the near future.

Currently, the penalties in the Air Pollution Act are: on summary conviction — fines up to €1,270 or 6 months imprisonment or a daily fine of up to €127 for continuing offences; and on conviction on indictment — fines of €12,700 or 2 years imprisonment or a daily fine of up to €1,270 for continuing offences. The penalties under this Act have not changed since it was enacted more than 20 years ago. They no longer represent a sufficient deterrent, especially when compared to penalties for many other environmental offences.

Given the potential for persistent breaches of the smoky coal ban to cause significant air pollution in urban areas, with consequent adverse impacts on health and quality of life for those living in those areas, it is important that a credible range of penalties is in place to deter

such breaches. Therefore, sections 3 and 4 of the Bill update the penalty provisions of the Air Pollution Act 1987 by reference to the classes set out in the Fines Act 2010. They provide for: on summary conviction — a class A fine of up to €5,000 or 6 months imprisonment or a daily class E fine or up to €500, for continuing offences to a maximum of €5,000; and on conviction on indictment — fines of €500,000 or 2 years imprisonment or a daily fine of up to €10,000 for continuing offences. There is also provision for the payment of graduated fixed penalties up to €1,000 for an offence under section 53.

The fixed penalties will relate to breaches of the Air Pollution Act, 1987 (Marketing, Sale and Distribution of Fuels) Regulations 1998, specifically the following regulations: regulation 3(1) in relation to the marketing, sale or distribution of bituminous coal within a ban area — payment of €1,000; regulation 3(2) in relation to the transport of bituminous coal within a ban area — payment of €500; regulation 4 in relation to the requirement for bags of solid fuel to be sealed and appropriately labelled — payment of €500; regulation 6 in relation to the requirement on fuel merchants located within a ban area to maintain a register of fuels stored at and transported from the premises — payment of €500; and regulation 7 in relation to the requirement on the owners of vehicles used to transport banned fuels within a ban area to produce a statement of the fuels being transported, including suppliers, destination and purchasers — payment of €250.

Part 3 amends the Waste Management Act 1996, as amended. It allows for greater flexibility in setting the plastic bag levy rate and the landfill levy rate. It is not my intention to increase the existing levy of 22 cent on plastic bags at this point. I will keep the matter of setting the levy at an appropriate rate under review. To accomplish this, a greater flexibility is required in the setting of the plastic bag levy, an environmental charge which set the example for best international practice. At the current time, amendments to the rate of the levy are limited to changes in the consumer price index only. This hinders a Minister's ability to respond with the appropriate amount of flexibility to changes in consumer usage of plastic bags and the extent to which they end up as litter.

The level of plastic bag usage can fluctuate and to provide an effective mechanism to respond to these changes, I am introducing section 5 of this Bill. It will amend the provisions of the Waste Management Act which deal with the plastic bag levy by providing that the ceiling be set at an absolute limit of 70 cent. This limit is designed to allow for increases to the levy for a number of years and is provided for in the amendment to section 72(3). It also provides the mechanism by which the levy rate may be increased through the insertion of a new subsection 72(3)(a) which will allow the application of the consumer price index and a discretionary application of not greater than 10% in any one year, provided that the absolute ceiling of 70 cent is not exceeded. Any amendment to the rate of the plastic bag levy will be for the purposes of preventing the generation of waste and a reduction in the use of plastic bags. The existing power to amend the rate of interest charged on unpaid levies is to be removed.

I spoke about the importance of ensuring that the landfill levy acts as an effective deterrent against recyclable waste being sent to landfill and contributes to meeting our landfill directive obligations. I have also provided certainty to the sector through the details I announced earlier regarding the extent and timing of the increases in the levy over the course of the period to mid-2013. Existing legislation is not adequate to allow for these changes to be made as it provides that the landfill levy may only be increased by a maximum of €5 per tonne in any one year.

Section 6, therefore, will amend section 73 of the Waste Management Act 1996 by providing that the levy may be increased once in any given financial year, subject to a maximum increase of €50 per tonne. It also provides for an absolute limit on the levy of €120 per tonne. In



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addition, section 6 inserts similar provisions in regard to interest charged on unpaid levies as is already provided for under the plastic bag levy, namely, that interest on late returns be liable on a daily basis.

Sections 7 and 8 provide for creation of a waste facility levy chargeable on incineration of waste classed either as disposal or recovery for the purposes of preventing the generation of waste and the reduction of the quantity of waste disposed of or submitted for recovery. I have been reviewing the provisions of the Bill relating to the waste facility levy, in light of the transposition of the waste framework directive. I will make my decisions known on these provisions on Committee Stage.

In Part 4, Section 9 provides for an amendment to the Third Schedule to the Freedom Of Information Act by the addition to the Schedule of section 16 of the Air Pollution Act 1987, which relates to the non-disclosure of information. This means that information obtained by a local authority in connection with its enforcement of the Air Pollution Act will be brought within the scope of the Freedom of Information Acts.

Section 16 of the Air Pollution Act 1987 contains a prohibition on giving information obtained by a local authority on fuels or other materials burned or other details of processes or activities, to any person other than a prescribed person. Under Section 32 of the Freedom of Information Acts 1997 and 2003, a record can be refused where its disclosure is prohibited by any enactment. However, if this enactment is included in the Third Schedule to the Freedom of Information Act, the non-disclosure provision cannot be used to refuse records following an FOI request. The non-disclosure provision continues to apply outside of FOI. Listing in the Third Schedule does not mean that records will be automatically released; all of the substantial exemptions and protections within FOI must first be applied.

It is my intention to introduce, on Committee and Report Stage, amendments to address a number of other matters. These amendments will be designed to complete the legislative requirements necessary to allow Ireland to ratify the Aarhus Convention, make a number of revisions to the Planning and Development Acts and the Local Government Acts, to introduce further revisions to the Waste Management Acts and Air Pollution Acts, and to provide for a number of technical revisions to this Bill.

This Bill represents the first phase in providing much needed certainty to the waste sector and reflects the Government's intention to ensure the development of an efficient, effective and diverse waste management sector. In developing the Bill, a regulatory impact analysis was undertaken, and the Bill was also the subject of a full public consultation. I thank all those who contributed to those processes. I look forward to engaging with the range of stakeholders as I work towards finalisation of a new waste policy by the end of this year. By allowing for meaningful increases in the landfill levy, this Bill will contribute to ensuring that Ireland does not face fines for breaching the limits set in the landfill directive and will provide a further catalyst for the development of alternatives to landfill.

This Bill is being introduced at an extremely challenging time in this country. However, when taken together with other measures I have outlined, the Bill will drive waste from landfill and assist in creating jobs in the alternative waste infrastructure to be provided.

Much has been said since 2007 about waste management policy, but little has been brought to a conclusion. However, a number of things are certain. If we do not meet our EU obligations, Ireland will face significant fines. If the alternatives to landfill are not put in place we will not meet our EU obligations. If we do not provide certainty, those alternatives will not be provided and Ireland will not be in a position to manage its waste in a sustainable manner. The Bill

before the House and the announcements I have made today are crucial steps in addressing this situation.

I therefore commend this Bill to the House.

**Deputy Sean Fleming:** I welcome the opportunity to speak on this Bill. I will comment on the programme for Government and the Minister's statement, and deal with some specifics of the Bill, especially the waste management area. We are only dealing with one section of a much broader issue. In the programme for Government, there is less than a page dealing with sustainable waste policy. It rightly refers to minimising the waste going to landfill and producer responsibility. The final paragraph states:

We will introduce competitive tendering for local waste collection services where the private sector and local authorities can bid to provide services in an entire local authority area for a set time frame. Tender bids will be judged and awarded by the new utilities regulator. Contracts would be required to stipulate a guaranteed service level to be offered. A public service obligation would include a fee waiver scheme for low-income households. Licences would be flexible enough to allow for localised waste management needs and opportunities.

This new utilities regulator means that another quango will be set up. This is coming from a party that campaigned in recent years to reduce the number of quangos. Who will pay for this regulator? How many staff will be employed? How will it link with the EPA and local authorities? Who will fund it? We all know that the poor people of Ireland will fund it eventually, whether it is through wheelie bin charges or through increased taxation. To introduce a new regulator in one of the first Bills before the House is not a good approach to dealing with this. The powers of the EPA can be enhanced and it can be further resourced. I do not think we need a utilities regulator.

Will the Minister give careful thought to what is in the programme for Government? There is a proposal for local authorities in the private sector bidding to provide services in an entire local authority area for a set timeframe. I would caution against taking that blanket approach. It is anti-competitive and maybe it was mooted in some of the Dublin local authorities, where they want to control waste. More than 20 years ago, the collection of waste was privatised in Laois and carried out by the private sector under licences issued by the local authority and the EPA. The local authority was not involved in the collection at all. At that time, the charge per annum for the local authority to collect the bin was the equivalent of €30 and people in Laois would not pay it. When the private sector came in it was raised to €60, yet people paid that amount. For some psychological reason, Irish people do not like having to pay extra money to local or central government and when given a chance, they would be happier not to have the local authority or any arm of government involved in local issues that do not have to be dealt with by a local authority.

I also caution against the idea of issuing these licences for an entire local authority area. I am in an adjoining county to the Minister. AES is one of the big operators and collects waste in many parts of Laois. In the Minister's area near Carlow, there are wheelie bins that are brought into Laois while other companies from Tipperary are trying to come into Laois as well. That is fine. It is economical, competitive and open, and people have a choice. However, giving a contract to one company for four, five or ten years and forcing people to deal only with that contractor is an idea that will not fly. It is anti-competitive. I can understand people sitting at a desk thinking it is a nice, neat way to do it, but I would caution against that. The public sector obligation would be part of that, and we do not know how the associated cost would work in different local authorities. Some areas have it and some do not. There is a massive

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inconsistency to which I will return later, but I would caution against that approach for each local authority area.

There is often debate about amalgamating local authorities and their functions. A midlands waste management plan was published for my region, and the licences for some of the waste services are issued by one of the local authorities on behalf of the region. Some of this is happening at regional level already and not at local authority level. It is uneconomical for the consumer when one contractor gets the contractor to collect all the waste in Kildare and in South Tipperary, whereas in the open market he might be able to do areas in between and offer a much more competitive price.

I am very concerned from the Minister's speech about the increase in landfill levies. Having canvassed every house in the country, we all know that people are very short of money, yet the proposal here is to increase the landfill levy by €50 per tonne from 1 September. If we did that, the parties opposite would call it another stealth tax. The Irish people will see this for what it is. It will put up the cost of wheelie bins.

There is another issue there. Since 1 September many contractors collecting wheelie bins do so on the basis of the local authorities having done their annual estimates at the start of the year. They knew the landfill price for the year and what they would be charged. Nine months into the year we find there will be a charge for the collector to deliver these to the landfill. Customers will have already been advised prior to the collector knowing this charge was in the offing. This will cause some financial difficulties, I believe, and will have to be teased out as well.

I am very pleased the Minister referred to the Hennessy report which deals specifically with Dublin City Council and Covanta's building of a waste energy facility at Ringsend. I know he awaits the advice of the Attorney General in this regard. I merely ask the Minister to provide clarity and a timescale as quickly as possible because this matter has dragged on. There were local parish pump politics involving a Minister from a particular constituency affecting matters and it would have gone through long ago had it been any other constituency. However, we are where we are and I ask the Minister to move matters along, regardless of the outcome.

I welcome the fines in regard to air pollution and the smokeless coal ban, but I ask the Minister to clarify the areas that are covered by the ban already. He mentions urban areas and I understand it is to be rolled out to other local authorities. However, I understand "urban area" in a Department of the Environment, Heritage and Local Government context could relate to cities, urban councils or whatever. I am not quite sure what this specifically means. He refers to air quality in urban areas as if rural areas are not included, and will he say what is not an urban area? The word "urban" might hark back to an early definition within the Department, but towns and populations would have increased since then. I ask him to clarify the particular areas, with either a map or a listing of the towns to be covered in the legislation.

We are delving too deeply into people's day to day activities in relation to regulation 4 where the Minister talks about having a fine of €500 for the requirement that bags of solid fuel be sealed and appropriately labelled. Every Deputy in the House knows that he or she will find bags of sticks in the local shop. Some people have left them in and there are arrangements in place. I realise some have gone through an expensive process and they are measured and precise, in sealed bags. However, in many shops I visit one will find bags of sticks, one sees what one is getting, the bag is open and one is not buying a pig in a poke. The idea that regulators will be sent around to prosecute such outlets for selling a few bags of sticks is ludicrous. I do not say this in a frivolous fashion, but it is widespread practice in Ireland. Issues

such as this bring the law into disrepute if we are going to prosecute shops for selling bags of sticks and the public for buying them. The Minister appreciates that bureaucracy will have gone too far, in that regard. Perhaps he might clarify that and confirm which type of products are involved. In theory, there may be a good reason, but in practice Irish life does not always operate in that manner.

Further on, the Minister mentioned that the existing power to amend the rate of interest charged on unpaid levies is to be removed. Will he clarify the rate, who sets it and how it will change in future? At the moment we are in a period of high interest. In three, four, five or ten years time rates could be much lower. Is there a mechanism to lower that rate at a later date? Who does it? The only reference is to the effect that the power is to be removed to change the interest rate. Most of what I am saying in this regard is not by way of criticism, but rather seeking clarification. Those are just my comments in relation to the Minister's opening remarks.

Moving on, the legislation, as the Minister has indicated, is a mechanism to increase the plastic bag levy which has been successful. Then it is a mechanism for increasing the landfill levy, which I have just dealt with. Doing this mid-year will cause commercial difficulties for operators. There will also be the power to introduce incineration facilities and amendments of penalties under the air pollution legislation.

I welcome the amendments in relation to the Freedom of Information Act. On one committee on which I served in the previous Dáil it was bamboozling to work out what could be asked for under the freedom of information legislation, there were so many exemptions, the majority of which were not justifiable. It is good to see the amendment of some of those exemptions that prevent public officials from issuing information they know to be all right. It does not mean they will issue commercial or personally sensitive information, but at least a request can be considered and the data issued, if appropriate. That is an improvement.

On the plastic bag levy, the Minister has said he will keep this under review and I seek further details on that. The most important feature of the plastic bag levy is that it changed customer behaviour. Most households have a few bags in the car for shopping purposes. I have had the same number of bags for several years. On occasion one can be caught in a shop without a bag, but definitely this initiative has changed customer behaviour, and this is very good. Commercial interests have copped on to its benefits and have the logos of shops advertised on the bags, so people can carry them up and down the streets. It works everywhere and is to be recommended. There have been real improvements since the Act came into force with the 5% of national litter then being carried in plastic bags down to a tiny 0.25%. We want to keep up the momentum as regards those real improvements.

I agree with the Minister's intention to have the waste hierarchy enshrined in legislation, starting with prevention and minimisation, moving on to reuse and then recycling, energy, recovery and disposal. I am pleased that all reference in the legislation refers to incineration, that is burning items that have gone through the proper recycling and segregation channels. When I served on a local authority we were dealing with regional waste management plans and the word "incineration" was banned from public use at that time. We used the phrase, "thermal treatment". If one spoke in the council chamber about burning waste one would be told it was not that but thermal treatment. Therefore I am pleased to see practical lay common-sense coming back into the debate. It always was incineration although officialdom might believe it to be thermal treatment, whatever that is. It is just a nice term for what we all know to be incineration. We all agree with some element of recovery from that process in terms of electricity, light, heat, hot water and so on.

On waste management, there has been tremendous improvement in the landfill facilities around Ireland in recent years. In 1995 there were about 250 landfill sites throughout the coun-

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try, and that is down to 48 or 49 at this stage. Most of those 48 or 49 which have been in place for the past decade or so are of a very high standard and are inspected regularly by the EPA. I am pleased the EPA has a role in this and believe it should be the authority to deal with these matters, more so than the local authorities.

I come back to my first point about local authorities being allowed to compete for the collection of waste if they are involved in issuing planning permission for waste facilities. I know the EPA will issue licences, but I do not believe the local authorities should be in the marketplace as well as partly having some role in the regulation of waste facilities. Waste management plans are approved by the local authorities, the locations are identified by them and I question the issue of their being involved in the regulation process while being players at the same time.

I am pleased that while Ireland landfilled about 90% of municipal waste in 2000, that is down to about 61% now, ten years later. That is a tremendous achievement and has primarily been brought about by the increased recycling. The landfill levies mentioned already were €15 when introduced, they are €30 currently and the Minister is proposing a big increase today. I do not say there should not be an increase. However, it could cause problems as regards introducing it during the year after all companies and some individuals will have already paid for their waste collection for the year. Those who did not pay up front will now have to pay a higher amount, so I suggest that has to be reconsidered.

I am not sure I understand the point about the landfill gate fees here in Ireland being quite low, although the Minister says this and I have seen it in official correspondence. The Oireachtas produced a chart showing the landfill gate levies, including the levy per tonne, in 2008, just over two years ago.

At that stage, the average landfill fee in Ireland was €112. The additional €20 landfill gate fee brought that to €132. This was one of the highest landfill levies in Europe identified in the research carried out by the Oireachtas Library. I have heard it said that our fee is relatively low compared with other countries and I am aware the library looked more broadly afield than the European Union. Sometimes Departments are great at citing EU statistics when it suits them, but the Oireachtas Library took a broader view and looked at New Zealand, Massachusetts, Singapore, Scotland, Denmark, the Netherlands and Sweden. It looked worldwide and I would ask people to consider the worldwide figures.

An important factor in the information produced for us by the Oireachtas Library was that although the published and official landfill charge in Ireland was €112, the rate in the marketplace was €90. Therefore, significant discounting takes place and deals are done with private sector operators. This happened some years ago in my county. The main operator stopped delivering to the local authority landfill site and held it over a barrel. It had the infrastructure built up, had the cost of maintaining the facility to EPA standards and had staff costs. This was dependent on a certain amount of material being brought to the site weekly. The stand-off continued for several weeks and could have caused massive difficulties for the local authority. However, an arrangement was made, but I am not aware whether it is disclosable under the provisions of freedom of information. I suspect deals are being done and the public is not being informed of them. Perhaps it is just a commercial issue.

Incineration has been mentioned. Will the Minister clarify in due course the position with regard to the Ringsend-Poolbeg site? In addition, when will the Ringaskiddy plant in Cork, which I understand it is well advanced, come on stream? The licence for that plant was issued five years ago, but I understand there is some delay in the process, perhaps due to planning

issues. The waste facility in Carlanstown in County Meath is also under construction. Will the Minister inform us of the situation with regard to all of these sites?

A new power plant in Offaly burns significant amounts of waste material as a source of fuel. Considerable incineration happens currently, but this is not reflected in the thinking on incinerators. These places are power plants and operate legitimately with proper licences from the EPA. I am almost sure that there is an arrangement for them to burn carcasses, perhaps even the specified risk material which has been a problem for storage. Perhaps I am incorrect on that, but I know a major power plant in Offaly has a licence for that material. It burns significant waste. I suggest far more incineration takes place than I suspect official statistics reflect.

With regard to increasing recycling of municipal waste, some 35% of our waste is recycled currently. This is about average in the EU area. A handful of countries, such as Austria and Germany, would recycle approximately 60% or 70%, but a significant number of countries would only recycle 1%, 2%, 5% or 10%. We are not in a bad position with regard to recycling. However, we do not match our European counterparts with regard to what we do with waste that is not recycled. We send 60% of that waste to landfill whereas most European countries incinerate a significant amount. Countries such as Germany, the Netherlands, Sweden, Austria, Denmark, Belgium, Luxembourg and France incinerate over 30% of their waste. They may have a different culture. Those countries probably have nuclear power also. They have long since had the debate about nuclear power and incineration. We have never crossed that Rubicon on either issue. I do not suggest we cross it in the case of nuclear power, because Ireland is too small a country to require a nuclear power station.

The biggest difficulty I see with regard to waste is the cost to the consumer and the wheelie bin charge. I pay approximately €350 for a wheelie bin service. I have raised the issue of the tax rebate on this charge on many occasions, including when Fianna Fáil was in government. However, the suggestion I made was not taken up. The rebate was probably introduced because somebody thought it was a clever idea. I get a 20% rebate on my payment every year as there is a rebate or tax concession allowed for waste collection charges. Although I am a top rate taxpayer, I get that rebate. However, my next door neighbours, both of whom are on social welfare, get nothing and must pay the full rate. This is wrong. It is a budgetary matter and I urge the Minister to get rid of the rebate. It is unfair, especially given that those on higher incomes get it. I only get my rebate at the standard rate now, although I used to get it at the top rate. That at least is some attempt to rectify the wrong. It is very wrong that people on social welfare or no income must pay the full rate. I appeal for equity in this area.

There is a way to deal with this issue and the Minister mentioned the public service obligation. The Minister for Social Protection might freak out at this idea, but I suggest that the management of waste should be included in the household benefits package. We provide free telephone, free TV licences, free electricity and free travel. In the interest of public health and safety, managing waste should be included in that package. Caution will be required when dealing with this and the provision on waste should only apply to certain categories of people. I urge the Minister to include this in his consideration. I do not see any reason I should get a tax rebate when people on minimum social welfare receive no benefit in that regard.

A more important aspect of waste in Ireland that is not reflected in this legislation or departmental statistics relates to a review carried out recently in the midland region. This review showed that 47% of households do not have a wheelie bin. We need to address that issue. The simple reason they do not have a wheelie bin is cost. If the annual charge is €350, that is approximately €7 per week. A person on an old age pension, social welfare or minimum wage will not pay €7 a week for a wheelie bin. Ten years ago when I would drive into my local

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village on a Thursday night, I would see a wheelie bin outside every house, but now there will only be a few wheelie bins out. People are not using the service anymore because it is too expensive. The elephant in the room on the issue of waste management is the number of people who are not included in the official statistics on waste because they are not part of the system.

This is the problem with legislation. It deals with what can be measured, what is in the system, what is captured and trapped, and what is delivered and paid for. However, almost half of our waste is not part of the system. We have all seen an increase in roadside dumping and dumping in our bogs and on back roads. There has been a phenomenal increase in this kind of dumping since the recession started. I deplore this dumping and support the efforts made by councils in pursuing culprits. The councils are effective, diligent and thorough in that regard and use significant time and resources following up in this area. Sometimes judges take these matters too lightly when they get to court. It is important that further consideration is given to this matter.

It is important that developers and operators of all landfill facilities are fully bonded. The Minister will be aware of the costs that were involved with regard to Kerdiffstown landfill.

Recycling is the way forward and is a good commercial business. I am aware of two recycling companies that operate in Portlaoise. One of these is Atlas Oil, which collects, cleans and reuses old engine oil. It also deals with contaminated soil. It uses anaerobic digestion to clean up contaminated soil from building sites polluted by diesel, petrol and other chemicals. There is a long process involved in this and significant space is required, but the company is doing that. The other company is CUINAR. I was amazed last year to walk into that plant to see dirty, smelly, black silage wrap come in on the pallets on one side, go through a process, machines and a distiller and come out as pure, perfect diesel for trucks. One would not know if one drove past the building what was going on. It is an outstanding process and we should follow up on it.

We must look at the export of waste and what happens to it. We have used the export of waste to say that collected waste does not go to landfill, but it may have gone to landfill in China. Now China has stopped taking some of our waste. Exporting waste is not a sustainable way of doing business. Most of the waste glass in Ireland must be exported, as must much of our hazardous waste. We need to develop sustainable ways of dealing with this waste.

I am pleased with the provision on packaging in the legislation and in the programme for Government. Repak has a good system in place and there is a parallel system allowing companies, including some of the fast food restaurants, which choose not to deal with Repak, to pay a fee to the local authority for each take-away outlet in the county. That happens with the best known ones in most counties, including mine. I am a former Chairman of the Joint Committee on Environment, Heritage and Local Government. I know the Department did not have good information about businesses that had a contract with their local authority to collect their packaging as opposed to Repak. Repak is the main player but some of them are doing it through the local authorities and I am not sure if a sufficiently good mechanism is in place. The Department did not have an adequate handle on that.

The Bill introduces the power to charge a waste facility levy on incineration facilities and the Minister mentioned the Covanta situation. We all recall that there were eight regional management plans and every area was to have an incinerator at that time. I imagine that one consultant from Dublin probably got the job to produce them all. I do not know how much he charged each local authority — all he changed was the cover and the map on the front page and he produced a 300-page report. People might think I am being unfair but I am very fair in what I say on that because I saw some of the other reports. Even on some of ours, some of

the words from Ballybay and different places appeared on our ones, indicating that the word processor did not get it right and someone did not proof-read it. It proved to me that these reports were being recycled and reused at great expense to the taxpayer and somebody did very well out of it.

There was logic that every region with a population of 250,000 should have an incinerator. My main argument was that such a level of population does not justify an incinerator. Ireland needs three or four. We do not need one in every region. Most people accept that we cannot have smelly landfill sites, upsetting neighbours. I know they are well managed but there are still fumes, leachate and methane being burnt off. There still can be an overpowering smell on occasions and for the people who live near them it is not a good scenario. The debate has moved away from landfill, which was the easy lazy option for many years. I ask the Minister to provide clarity on when we expect to be able to meet our incineration target which can only happen if some of these new plants are opened. I ask the Minister to do what he can. There is one in Cork, Meath and Dublin, and there may be more.

The EPA is a good organisation that could do with more resources. It does not have adequate powers and is constrained if taking a big operator to court. Waste is big business and large waste operators will take a State agency to court. Sometimes a State agency will not care that it is spending taxpayers' money, but on other occasions the EPA was being very careful not to waste taxpayers' money and might not have been as aggressive as it should be in some of the cases it dealt with. There were many cases of people feeling the EPA did not act strongly enough. As part of the overall waste management strategy in coming years, I encourage the Minister to strengthen the role of the EPA.

**Deputy Brian Stanley:** While Sinn Féin favours any move that furthers environmental protection, there are many aspects of the Bill with which we would take issue as they heavily penalise the ordinary working person while not addressing the amount of waste which is produced by manufacturers and wholesalers, which is unreasonable. If we are to stop illegal dumping we need to get to the source of it. This Bill should be used as a mechanism to compel manufacturers and wholesalers to reduce the amount of waste they produce. Furthermore, there is nothing in the Bill to increase the fines for illegal dumping, which is a major problem in Laois-Offaly.

Sinn Féin is committed to the promotion of a zero-waste strategy that rejects incineration, keeps landfill to a minimum and supports waste reduction, reuse and recycling, closure of all unsafe landfill sites and full remediation of contaminated sites that are not operating properly. We continue to oppose the environmentally destructive policy of incineration even if it is called thermal treatment.

Sinn Féin takes a rights-based approach to the environment. Having a clean environment is a right that must be upheld to achieve a better quality of life. The Bill represents a lost opportunity for the Minister to set progressive time-framed targets to minimise waste going to landfill. There must be legislative provision to compel industrial and commercial producers of waste to reduce waste production in a planned, targeted and accountable manner, but the Bill in its current format does not do that. Instead, it introduces a provision to allow a Minister to set a plastic bag levy as high as 70 cent. The plastic bag levy has been progressive and has now been introduced in the other part of the island, in the North. It has been a good measure that has reduced the amount of waste from plastic bags. A few years ago the hedgerows and ditches were decorated with plastic bags that were blue, yellow, green and every other colour. The provision allowing the Minister to set the plastic bag levy up to 70 cent is not a good measure. It leaves too much leeway and will penalise people. While it may be designed to be in line with the consumer price index and allow for inflation over a few years, can any Government be



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trusted to not hike it above what would be reasonable? If it thought it was another opportunity to make money out of those who are already strapped for cash, it would do it. This provision is something nice for the Minister to present so that he can say he is doing something about waste reduction but it does not matter that it will not do what it needs to do.

The provision will have no impact on manufacturers and wholesalers who wrap their products in layers upon layers of plastic. We are committed to robust environmental protection and we believe this necessarily involves the use of legislation that challenges the attitudes and practices of businesses and consumers alike and promotes behavioural change. The introduction of the plastic bag levy was effective in promoting behavioural change, but such measures should not only be directed towards the individual consumer, they also need to be directed towards businesses. Less plastic and waste would be good for them as it would be a cost-saving mechanism for businesses. Easter is coming and we know that there will be plenty of Easter eggs sold. The wrapping on Easter eggs is a good example of what I am talking about.

The previous Government did not have a good record on this. There was promotion of incineration and illegal dumping owing to high charges — the whole thing was a disaster. The previous speaker made the point I wanted to make. The problem lies with the waste that is not in the system. Between 30% and 40% is not going anywhere that we know of but when one walks down country roads one can see where it is going — it is going into ditches and hedgerows. This Government will be doomed to repeat this if it does not take a different direction.

The Minister needs to take a constructive approach in creating an environmentally sound, sustainable future for all of Ireland. This should be anchored in the promotion of a zero-waste strategy that rejects incineration, keeps landfill to an absolute minimum and supports waste reduction, reuse and recycling. The danger with the Bill is that if levies are set at too high a rate it will merely have the effect of encouraging illegal dumping — the Bill does not increase the fines for illegal dumping. Our recycling infrastructure is poor and the Minister must address this urgently.

We must consider the viability of the landfill sites in my constituency of Laois-Offaly at Kyletalesha and other locations. We must also investigate the incidence of illegal dumping in areas such as Clonreher Bog. We support strong environmental regulation at all-Ireland and EU levels as the only way to protect the right to a clean environment. The Minister has a responsibility to legislate and regulate proactively to safeguard the air, rivers, lakes, wetlands, boglands, remaining forests, coastal zones and seas. That means actively tackling and combating illegal dumping as part of a range of environmental measures. We support the polluter pays principle, but it must be applied in a manner that does not disproportionately penalise those on lower incomes or small businesses against big businesses.

There are two waste management facilities in my constituency. I am alarmed at the announcement by the Minister that landfill charges will increase in September to €50 per tonne and next year to €65 per tonne. I recently stepped down from the county council, but I am aware that the viability of these landfill sites is hanging in the balance. The Minister has indicated that the average rate of landfill fees is approximately €112 per tonne. Local authorities are doing deals far below that level to try to keep the tonnage going into landfill sites to retain their viability. The good news is that they are trying to ensure these landfill sites have cells that are properly lined and that leachate and methane gas are being handled properly. That all costs money. I am concerned that if the levy is increased without other measures being in place, we may go over the tipping point in terms of the viability of landfill sites. The Minister has announced today that he will go ahead with an increase, but I urge him to take the point into consideration before he imposes an increase in charges.

In general, the State's environmental record has been poor. We failed to meet the European Union's carbon emission standards and the waste reduction targets. There have been increased incidents of flooding as a consequence of the failure to protect flood plains from development, as well as consistent violations of EU water quality standards. While I welcome the Minister's commitment to the environment, it is not enough. Robust action must start at home with each person in the community. That means ensuring all of us are guaranteed as a right a safe and sustainable environment and the facilities to make that happen.

The Minister must ensure local authorities fulfil their obligations in areas for which they are directly responsible and also that businesses and others comply with the relevant regulations dealing with environmental protection and waste management. Part of this must involve devolving as much power as possible to locally elected representatives and the community. The previous Government removed these powers. Deputy Fleming and I debated at local level the issue of county managers being given powers to handle waste in the regions. We in Sinn Féin believe that was a retrograde step. It is important that local representatives who are elected by the people have that responsibility. In turn, that would put responsibility on the people who elect them. It would make us all take personal responsibility. Previous Governments have removed too many powers in this area from local authorities and transferred them to unelected managers or a Minister. That has had serious implications for waste management and resulted in unnecessary incineration plans, overdependence on landfill, the imposition of double taxation service charges for waste collection and also an increase in the incidence of illegal dumping. That is the big issue with which the Government and all of us must come to terms and address.

As part of a progressive movement away from landfill towards reduction, reuse and recycling, we are supportive of a landfill levy, but the polluter pays principle must be applied consistently. There must be sufficient funding for recycling infrastructure and widespread provision of public recycling amenities. What is in place works well. We would also support measures to eradicate illegal dumping, including increased enforcement and penalties. The law in that regard must be re-examined. Sinn Féin welcomes the intent of the Bill, but much more must be done. I will table amendments in an attempt to rectify some of the matters I have raised.

There is a need for a waiver scheme for low income households. We must factor in the implications of continuing on the same road and what will happen if it becomes more expensive to dispose of waste. I urge the Minister to address the issue.

Methane gas is being burned off at some landfill sites. It is not being used for any purpose. Perhaps the Minister might examine the issue. Sizeable quantities of methane gas are being burned off with no benefit gained.

Reference is made in the Bill to sealing and labelling bags of fuel for sale. A previous speaker referred to bags of sticks. It is not practical to seal and label bags of firewood. It is totally unnecessary. I would like to see this provision excised from the Bill. Neither is there a need to label bags of turf or peat. People cut turf and sell it door to door or it is sold at the local shop. I urge the Minister to deal with the issue. The new regulation is totally unnecessary. One could ask who will implement it. In some cases local authorities are losing up to 100 staff each. There will not be enough staff to go around following people in pick-up trucks to see whether bags are sealed or labelled. I presume the intention of the Minister is to differentiate between smokeless and non-smokeless coal. I urge him to clarify the position on the sale of turf and firewood.

**Acting Chairman (Deputy Michael McCarthy):** Deputy Catherine Murphy is sharing time with Deputies Mattie McGrath, Pringle and Tom Fleming. How does she wish to divide the time?

**Deputy Catherine Murphy:** I will take the first ten minutes.

**Acting Chairman (Deputy Michael McCarthy):** Is that agreed? Agreed.

**Deputy Catherine Murphy:** I regret to say there are some provisions in the Bill that I could not possibly support. Even if incineration was the preferred method of waste disposal, the finances simply do not stack up. I have a serious concern about the level of regulation. My view is based on practical experience of how the waste collection system has played out in reality. I have used my area as an example. There will be an opportunity to improve the Bill and I hope there will be amendments to address my concerns.

The waste collection service has been liberalised, but there needs to be additional regulation which may be on a different tier. For example, Kildare County Council is one of eight local authorities which still retain a waste collection service, albeit one provided by a contractor. The county council is also the licensing authority which gives rise to a potential issue in terms of competition as the local authority cannot be seen to interfere. A court case was taken against the Dublin local authorities in that regard.

Dublin has the highest level of directly collected waste, with 88% of the waste collected by local authorities. That differs substantially from the position in other local authorities around the country where only eight collect directly or with the assistance of contractors. Deputy Lawlor will be familiar with the situation in Kildare County Council as it is an issue we have debated in a different forum. In my constituency a difficulty arises every single morning when six or seven contractors arrive one after the other to collect waste at 5 a.m. or 6 a.m., thereby preventing people from getting a night's sleep. Deputy Lawlor will know this having debated the issue in a different forum. We found this problem impossible to address, even through the introduction of by-laws. This is much more of an issue in urban areas where there is more acute competition. It demonstrates there is an element of cherry-picking in waste collection. It is much more expensive to collect waste in rural areas.

We need to address much more substantially the issue of regulation. When the waste collection service was liberalised in Britain, it was put out to competitive tender, but the authorities retained the landfill sites, the vehicles and relevant apparatus. What we have done is allowed a free-for-all arrangement. This is problematic in some communities, particularly where there is a greater level of competition than in others. A solution is needed quickly in order that the service can be managed in a way that respects the affected citizens.

In my area the local authority provides the most expensive service because it is the only one which provides waivers. Deputy Fleming has raised this issue. A sum of €188 per week is approximately the same as the annual cost of a waste collection service. It is not inconsiderable for somebody on social welfare, for example. As we all know, a serious problem arises over dumping and the public must pick up the tab if it is not controlled. A levy may need to be imposed on private contractors so as to have a universal waiver for all those on the lowest incomes. The current arrangement is not tenable and is costly. I have no problem with the fining of people who dump waste. I do not condone dumping in ditches and along roadsides, but we must also consider inability to pay at some point.

The EPA which, in theory, has a role to play works fine in circumstances where there is a compliant operator. However, the operator at Kerdiffstown dump, for example, was not compliant. The EPA estimates remediation measures at the site will cost €30 million. The problem, including smells and smoke from the fire which was ablaze for a very long time, has been an absolute nightmare for those who live beside the dump. The operator went missing after it had made its money, which is not good enough. We need proper regulation. This could occur in a reorganised local government system with a strong regional authority. The system could func-

tion at regional level rather than local authority level. I am sure reorganisation will happen in the context of the programme for Government. I await the reform of local government with bated breath. It has been sought since the foundation of the State.

The issue of finance at the Poolbeg station does not stack up. Dublin City Council must commit to delivering to the incinerator 325,000 tonnes of waste per annum for 25 years or else it will have to pay a penalty. Poolbeg may not be in my area, but this does not mean I am not concerned because the money will come from the public purse. The council cannot tell private contractors where to dispose of their waste; therefore, it cannot force them to deposit their waste at the incinerator; yet it will have to pay a penalty if an insufficient volume of waste is delivered to the incinerator. I suspect surrounding counties will be contributors to the facility if it is ultimately built. When one builds a very large incineration plant, the very concept of recycling and reusing goes out the door because a very large volume of waste must be incinerated to make it efficient.

The plastic bag levy has been a success story. We no longer see as much litter on fences and in ditches. The waste we now see in ditches tends to comprise bags of domestic waste, which is very unsightly.

My area benefited from the move to smokeless coal. It improved air quality substantially. It is not difficult to notice the odd person burning smoky coal because the smoke cannot be hidden. Has anyone ever been fined €5,000 for burning smoky coal? The ban has been in place for in excess of ten years, but I do not know anyone who has received a fine. I do not know how the local authorities enforce the law. Very often the people who use smoky coal are those who cannot afford to pay for the more expensive smokeless fuel. Enforcement is a problem. It is not good enough merely to put legislation in place because we must consider its practical outcome and how it will be enforced. I do not know how local authorities can enforce the smoky coal ban practically in areas that benefit therefrom. Where there is an embargo, it is more likely to be in the evening that monitoring will take place. In winter it will be too dark to see the source of smoke, but one will certainly see it in the spring and autumn. I hope we will continue to have good air quality. The ban on smoky coal made a positive contribution, but there is still a deficiency in enforcement.

**Deputy Thomas Pringle:** The Bill provides for an increase in a range of levies and the introduction of a new levy on incineration. The plastic bag and landfill levies are to be increased. The increase in the levy on plastic bags, to 70 cent, is viewed by the Government as a means of using price to control the use of plastic bags. There is no doubt that the levy was effective when first introduced. It was a very efficient tax and raised €22.6 million in 2007 and involved a very low administrative cost of only €350,000. The increase in the levy to 22 cents in 2007 appears not to have slowed down the demand for bags because demand has begun to increase again. Increasing the levy can only be seen as a revenue generating exercise because plastic bag use is not sensitive to price changes above 22 cents. A study in 2007 showed there was significant positive consumer sentiment towards the levy and that consumers were happy to pay the charge in the hope it would reduce littering with plastic bags, which problem had blighted the countryside. Increasing the levy again will have the effect of turning consumers against it and probably lead to an increase in the usage of bags.

The landfill levy is purely a revenue generating exercise. The environmental fund is almost depleted and there will possibly be a deficit of €4.8 million by the end of this year. We can see that the need to increase the landfill levy is purely to add to the environment fund. A 2009 study by Eunomia claimed the relatively low cost of sending waste to landfill in Ireland has created an over-reliance on landfill. It is clear the Government will use the levy to increase the

[Deputy Thomas Pringle.]

cost of putting waste into landfill which in turn will increase the cost to householders, which I believe in turn will create more fly-tipping and more illegal dumping in the countryside.

Over the years, the mistake we have made in Ireland is that we have tried to create a private market where none existed previously. We bought into the European model that waste is a commodity and that the market should dictate how it is used and how it develops. However, we should be looking at waste as a public good to be dealt with through public facilities and public means of collection and disposal.

In 2009, some 61% of municipal waste went to landfill. A total of 30% of municipal waste is actually organic and biodegradable, so a proper roll-out of the three bin system would reduce landfill requirements to 40%, which is the EU average. Only 24% of serviced households have a three bin collection. I remind the House that in Donegal only approximately 50% of houses have any collection and must dispose of waste by their own means. Nationally, 19% of houses do not have a collection. This means an increase in the levies will increase the cost to households. It will also increase the number of households without a service because people will withdraw from services because of affordability issues, and we will increase the amount of fly-tipping that is taking place throughout the country.

The regulation and control of landfills operated throughout the country by the EPA is having the effect of penalising compliant facilities because the cost of compliance is huge. Gate fees being charged for waste brought to landfills throughout the country have been reducing significantly. We must question this, as if a facility is reducing significantly its gate fee it cannot be completing its compliance requirements also. There is an issue in terms of enforcement through the EPA. We have a bizarre situation now where compliant facilities are being penalised through the costs involved in being compliant. I notice from the Bills digest that there will be a level of fees for unauthorised facilities and authorised facilities. This is an ironic admission that there is a huge number of unauthorised illegal landfills throughout the country. When we detect them we will place a levy on them also. We are encouraging non-compliance.

With regard to the incinerator levy, incineration is the wrong way to go and it is obvious from what Deputy Catherine Murphy stated about Poolbeg that we have planned for an over-capacity of incineration. The big problem with an incinerator is that once it is lit, it must be kept lit. We will see large-scale diversion of waste that could otherwise be biodegradable or recyclable to these incinerators to ensure they maintain the levels of waste they are built to manage and require to keep going.

We have never had a debate on the large amount of hazardous waste, approximately 10%, produced by incinerators for which there is no option other than landfill. This is significant and we should examine it. The Minister should consider this in his waste management policy later in the year. In the case of the Poolbeg incinerator, if Dublin City Council provides the 320,000 tonnes a year that are required, it will generate 32,000 tonnes of hazardous waste for which there will be no choice but landfill in a hazardous waste facility, which probably requires a higher standard than most of the facilities we have in the country at present. We are building up an environmental hazard by the burning of waste.

The idea seems to be that increasing the levies will stimulate the provision of alternative waste facilities by private operators throughout the country. However, in these times it will also increase fly-tipping and the withdrawal of households from availing of the service, which is of no benefit to the environment. The Bill is premature and should be left until after a waste management policy has been introduced. It is not an environmental Bill but a taxation Bill, and its purpose is to increase indirect taxation on households and artificially stimulate an unworkable private market.

**Deputy Mattie McGrath:** I congratulate the Minister on his appointment and I look forward to engaging with him and the Department on many issues. We are told the plastic bag levy is an environmental waste measure in line with international best practice and that Ireland should be a role model. We should and could be a role model because we are a small country by any standard, and our waste issue should be dealt with in a far more pragmatic way. If we had proper waste regulations, compliance and management we would be able to market ourselves as green which would be a big boost to our agricultural and food exports. Therefore, this legislation is very important and there is no doubt the Minister is well aware of this.

I know from dealing with previous issues that the environment is a very sensitive and emotive area with tenuous and slow progress. I know this from my county, where there are major issues regarding landfill and the transfer of materials that should not go to landfill but do, and a fight to maintain and extend a landfill and to source a new one. For decades, there has been an issue with regard to Hardbog, a site in south Tipperary. The county council acquired a site but it has been in the courts as various actions and cases have been taken. Huge expense has been associated with the procurement of the site and trying to prove it would be safe and would not be an environmental hazard to water supplies and neighbouring landowners.

In fairness, the EPA's hands are not clean either because it did not come up trumps when it was required to do so in support of the county council. It dragged its feet, and the situation has continued for years longer than it should and there is still no light at the end of the tunnel. The lifetime of the existing landfill is way over what it should have been and it has been extended again and again.

Meanwhile, the good collection service operated in south Tipperary by the county council is being blown out of the water. While we have to encourage competition and private sources are good, in neighbouring counties when local authorities were removed from the collection service it was not always good for the consumer because the less competition there is, the more expensive something can get. The county council has had a good track record and history of recording statistics on the amount of material going to landfill or elsewhere.

There must be incentives for reducing packaging, which is a huge issue. Anybody with a young family knows that when buying a little gift for a child, or buying household goods or everyday groceries, the amount of waste in packaging materials is sheer madness. It is totally unnecessary and overdone. Much of it is slick packaging to make products look better but stricter penalties should be enforced. The consumer should not be expected to dispose of this because 50% or more of the volume of material goes on packaging and better efforts must be made to try to deal with this.

I am worried that a number of households are withdrawing from the service, although I do not have the exact figures, and, as I said yesterday in the context of the Communications Regulation (Postal Services) Bill, that there will be cherry-picking. The people concerned do not live in remote areas because they would not have received planning permission but they live on isolated or tertiary roads and the trucks, due to their sheer size, will not travel up those roads to collect waste. If the people are obliged to bring their rubbish a mile or so to a collection point, there is no incentive in that. There should be fairness and people should not be discriminated against because of where they live.

We must encourage people to come out of non-compliance. Education has a big part to play in that, and the education should be started in our national schools. April has been designated national spring clean month and most schools are taking part in all sorts of competitions as well as being involved in the Tidy Towns competition and the green flag awards. Some schools have up to five green flags. We should encourage them to get involved in the national spring clean. The education of our young people is important. People of my age and older got into

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bad habits. It was a different era so it is important to educate and encourage people to reuse and recycle. Education has a major role.

**Deputy Tom Fleming:** I welcome the report from the Minister, Deputy Phil Hogan. I also welcome the aspirations in the programme for Government. Much deliberation and thought is required to arrive at a proper formula to deal with the waste management difficulties in this country over the next few years.

As I am aware from my local authority in County Kerry, there must be clarification from the Minister regarding the implications of the European Union services directive for local authorities involved in waste collection. There are only eight local authorities, in conjunction with private operators, still involved in waste collection and I am aware that three of them are actively trying to get out of that service provision. Another two that are under the radar are seriously contemplating getting out of the service. That seriously reduces the number involved. Kerry County Council will continue to be actively involved but there is much uncertainty about how the policy will proceed in the future. I am open to correction but I understand the Minister stated prior to the election that local authorities should be encouraged to get out of the business and let it be privatised.

Perhaps the Minister will give further clarification because the counties that continue to provide the service require it. How will local authorities proceed in this area? Is there a future for them in the business if they stay in that market? They have their projected figures and business plans for the next few years and they need to know what the situation will be with regard to upgrading their lorries and machinery and the future of jobs for the workforce.

I agree with Deputy Mattie McGrath that there must be more awareness about our green school policy. I commend the Minister on the money he has made available for the forthcoming Tidy Towns competition. We must create a sense of civic spirit in our communities, towns and villages. The national spring clean was also mentioned by Deputy Mattie McGrath. These are wonderful programmes which we should promote to maintain a sense of community awareness and involvement.

There should be further promotion of recycling. Revamping is a new concept that has become popular in some counties. It originated over the past 12 months through local development groups. A large amount of furniture is now being refurbished and renewed and this is providing a form of employment. There is a social inclusion element in terms of involving people who have been out of the jobs market for many years and who would never otherwise get a job. The settled Traveller community is very much involved in it in Kerry, which is commendable. The people promoting the scheme are also to be commended. I ask the Government to maintain support for such schemes.

As has been said, the wrapping on products is overdone. It is a marketing ploy but it is a matter that must be examined by the major companies involved in the provision of groceries and so forth. There is also the issue of the paper disposal market. The market was fluctuating a couple of years ago and much of the paper was exported. We should recycle it here. There is inequity in the waste collection system throughout the country, particularly in rural areas such as mine. There is a very poor collection service available to people in rural and isolated areas.

Will the Minister to encourage councils, particularly town councils, to investigate incineration in European countries. We are disposing of 60% of our municipal waste in landfill; it is only 1% in countries such as the Netherlands, Belgium and Sweden. I have seen it in operation and it is very effective if there is a good, clean and efficient operation in filtering and so forth. There must be further investigation of it because it also provides renewable energy for heating.

**Deputy Jim Daly:** I wish to share time with Deputies Paudie Coffey, Eoghan Murphy and Anthony Lawlor. Ba mhaith liom sa chéad áit mo bhuíochas a ghabháil as ucht an deis labhairt ar an ábhar tábhachtach seo. Mar is gnáth do dhuine a labhraíonn anseo don chéad uair, ba mhaith liom mo bhuíochas a ghabháil leis na daoine in iarthar Chorcaí. This is my maiden speech and, as is customary, I express my gratitude to the electorate in west Cork for the opportunity they have given me to represent them and speak today on this subject.

I congratulate the Minister on his appointment and wish him well. I have no doubt that he will be very successful. The role, power and functions of the local authority are very important in this debate. It is something to which we often pay lip service, particularly before elections. However, we then drift away and continue to ignore it. In the debate on this Bill we should take particular cognisance of the local authority and how we can strengthen its functions and role in the area of waste management. When I was on Cork County Council and mayor of the county the council got out of the waste collection business. However, I do not consider that a negative and it is important that it does not preclude local authorities from involvement in waste management and particularly enforcement.

The management of waste is a challenging issue for this generation, but the single greatest challenge is enforcement. It is proving difficult on the ground to manage the enforcement of the anti-litter laws. I am a fervent believer that education provides the only solution to this challenge. Education must create awareness. The role of schools, with the green school initiative and flags, has been of considerable benefit but there is more to education than schools. Much education, in fact the most important education, is imparted in the home. Education on anti-litter initiatives must spread above and beyond the responsibility of schools.

We must also cultivate a sense of pride and bring about a sense of responsibility and ownership of our community, realising that the boundaries extend beyond our own garden wall, that we are part of a community and we have a responsibility to that community as a whole. This will lead into enhancing our own sense of well-being, and that completes the full circle.

My interest in this legislation is in the plastic bag levy. I am aware that there are no values as yet put on the levies, while a maximum of 70 cent is proposed. In March 2002, as has been alluded to previously in the debate, a 15 cent levy was introduced and everybody has acknowledged the success of that initiative. The levy increased to 22 cent in 2007 and therein came the decline in the matter. Unfortunately, with that increase also came an increase in usage. We must look beyond the levy because we cannot continue the cycle. While it is a good avenue to generate income, it is not proving to be successful. The income from the levy was €10.4 million in 2002 and that more than doubled to €26.6 million in 2008 but the net result is increased usage of plastic bags. While we have increased revenue, it is clearly a counter productive measure if it continues in that spiral. It is not helpful to the overall objective, which is to decrease the usage of plastic bags.

The improvement in the countryside has been referred to already. We all acknowledge that the litter problem has improved but the fact that we are still using a significant amount of plastic bags is where the issue lies. No matter what kind of levies we impose on plastic bags, it will not address that aspect.

If I may, I will refer to a couple of figures.

**Acting Chairman (Deputy Michael McCarthy):** There is one minute remaining.

**Deputy Jim Daly:** Based on research in the city of San Francisco, it takes 16,380 litres of oil to produce 1 million plastic bags. The import of this for Ireland, where based on the revenue of €22.6 million in 2007 we used approximately 130 million bags, is that this broadly translates



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to 1.7 million litres of fuel used in 2007 to produce plastic bags. These figures speak for themselves.

It is time for us to learn from international best practices in levies on plastic bags. Italy, which previously experimented with a levy, has brought in an outright ban. San Francisco has also brought in an outright ban. They are proving successful. It is time that we in Ireland faced that challenge. It is the answer to the problem.

**Acting Chairman (Deputy Michael McCarthy):** In line with the tradition of the House, I congratulate Deputy Jim Daly on his maiden speech in Dáil Éireann.

**Deputy Paudie Coffey:** I welcome the opportunity to contribute to this debate. I, too, wish Deputy Hogan well in his appointment as Minister for the Environment, Heritage and Local Government. He faces massive challenges, not only in waste management but in many other areas as well. I wish him well in that regard.

The plastic bag levy, since its introduction in 2002, has achieved significant waste reductions. I welcomed it at the time. Many of the funds raised through the levy have gone into investment in areas of recycling and bring centres in local authorities throughout the country.

This new legislation will give flexibility to the Minister to utilise the levy in whatever way he sees fit where further resources are needed to encourage and support schemes and initiatives such as the green school initiative and infrastructure in local communities. It is important that we keep the waste hierarchy at the top of our priorities when we speak about waste management priorities. Packaging is an area that must be tackled in this regard.

Waterford County Council has shown exemplary leadership in this area where it developed the recycling centre in Dungarvan. It is a modern recycling centre that services large areas of the south east. This recycling centre is under pressure for viability reasons because waste streams are not reaching it as there are other cheaper waste stream options. It is a matter of which the Minister must take note.

There is over reliance on landfill. There are serious legacy issues, which will not go away and for which the State must pay. I welcome the Minister's statement today on his intention that there will be clear direction on national waste management policy because over the past number of years there has not been a coherent, clear national waste management policy. In 2002, a number of regional waste management plans were introduced. Thermal treatment facilities were mentioned in each of them but they have been lying in abeyance for the past number of years because the former Minister, Mr. Gormley, started to introduce his own policies, which seemed personal to him but did not apply around the country. There is a need for clarity in that area. If there is to be direction and investment in waste management it certainly must be addressed and we need to look at all waste management solutions when we do so.

Thermal treatment must be looked at as an option. It is in use in many major European cities. We must have stringent monitoring and regulation if that option is to be taken up. I will not stand accused of declaring "Not in my back yard", just because it is not in my area in Waterford because I grew up within 500 m of a municipal landfill with which there are legacy issues. At present, I live within 500 m of a modern sludge management plant with which there are odour issues but we live with it and we work with the local authority and the owners because we realise it is necessary. A waste stream goes in there and there is a general acceptance that it is needed.

One big problem, which is a legacy issue in the heart of my community, is the former site of Irish Tanners. It was a State-established company set up by Seán Lemass in the mid-1930s, where an old millpond was dumped with industrial waste for nearly 50 years. That still lies

contaminated — three acres of it — in the heart of a community and adjacent to all the services of a town. It is not being addressed because the local authority does not have the resources or the capacity to deal with it. The EPA is investigating it but little progress has been made in dealing with the contamination issues that continue there.

As I have an interest in this area in 2007 and with the help of the Oireachtas Library I produced a research paper on landfills and remediation. I was horrified to note that in 2006, €18 million was spent on remediation. An EPA assessment at that time estimated that €142 million would be required to remediate the known landfills, not including the private landfills such as the one of which I spoke. There is a significant legacy issue. If we are to continue in the use of landfill we must bear the brunt and cost of the legacies they would leave. We as a State cannot afford that.

We must explore new ways of dealing with our waste. I would ask the Minister to explore ways of recouping the investment already made in the remediation of landfills, such as the municipal ones in Waterford and Tramore in my constituency where approximately €3 million was invested in remediation by the State. We no longer have the capacity to continue with landfill and putting our waste and our money into the ground. We need to bite the bullet on these decisions. We need clarity and direction and a proper waste management infrastructure. I call on the Minister to develop that.

**Deputy Eoghan Murphy:** I welcome this Bill and all that it aims to achieve. I note the proposal in the Bill to subject the non-disclosure provisions of section 16 of the 1987 Act to the Freedom of Information Act. This is welcome and overdue. I also note that the positive provisions on the plastic bag levy. This is something of which we in this country can be proud. In a small way, it underlines our environmental credentials.

Quite often when discussing waste management we find ourselves locked in something of a false debate. People tend to try to choose one option over another. They will push mechanical and biological treatment, for example, over incineration. It is natural to want to take sides but it is a false debate because when it comes to waste management, it is never about one solution. It is never about picking A over B or C, but about using those options together as wisely as we must. We have a matrix of waste management options, from incineration without recovery to incineration with recovery, to more simple solutions such as using less packaging at the point of production. It is up to us to use those options as best we can as a country to tackle our waste problems.

Some options are better than others and some are more environmentally friendly, are more efficient or are of greater benefit to the economy. There is a waste hierarchy, as set out by the European Commission in the waste framework directive. It is there to guide our policies at the national level so that when we come to making these decisions we try to move from that lower tier with the less desirable forms of waste management solutions to the upper tier which are more positive for the country and for achieving sustainability in how we do our business.

We will never fully move away from the lower tier in the waste management hierarchy but we can minimise our dependence on it. The Bill seeks to address that question, primarily by increasing the levy on landfill. Landfill is a waste management practice of the past and we have to confine it to the past. Increasing the levies on landfill will use market forces to put an end to the practice by making other forms of waste management more attractive. We can do this with other initiatives, such as social media, advertising or projects in the classroom, but at the end of the day market forces will dictate how we manage our waste. By increasing the levies on landfills we will move in the right direction.

[Deputy Eoghan Murphy.]

I am not opposed to incineration with energy recovery as an element in our waste management matrix. It is necessary and much needed if we are to address our international commitments on moving away from landfill. However, there is no point in moving from a dependence on one form of waste management to another. That is what would ensue if we increase levies on landfill in the absence of levies on incineration, to the detriment of our waste management strategy and more beneficial processes further up the hierarchy. This Bill provides for the possibility of levies on incineration but it does not introduce them. The explanatory memorandum to the Bill clearly stated that if we do not impose levies on incineration we will draw waste down the waste hierarchy to the lower levels which are less suitable for this country and its environment. I urge the Minister to impose levies on incineration at the earliest opportunity once the Bill is introduced.

I represent a constituency, Dublin South-East, in respect of which controversy has arisen over proposals to construct an incinerator on the Poolbeg Peninsula. However, I am not supporting the introduction of levies on incineration in the hope of undermining the proposed incinerator for Poolbeg by dissuading the contractors from proceeding with their project for financial reasons. Others have attempted to do that in this Chamber in the recent past but I believe such behaviour is irresponsible. One does not make national decisions based on local or electoral considerations.

**Deputy Paudie Coffey:** Hear, hear.

**Deputy Eoghan Murphy:** It leads to bad policy decisions and it is no way to govern a country. For the record, I do not support the construction of an incinerator in Poolbeg but the Bill is not concerned with that issue. In implementing the Bill, I ask the Minister to move quickly to levy incineration at the appropriate market rate so that it continues to be attractive as a waste management option without deprioritising options higher in the hierarchy.

**Deputy Anthony Lawlor:** I congratulate the Minister, Deputy Hogan, on his new role and wish him well in his work. I will speak to a number of issues related to the Bill. The legislation which introduced a levy on plastic bags was very successful when one considers that the use of bags decreased from 328 to 21 per head of population. However, even though the levy has increased from 15 cent to 22 cent, there has been a 50% increase in the use of plastic bags. I urge the Minister to reconsider his position with regard to the levy because it is a major fundraiser for the environmental fund and it supports the principle that the polluter should pay.

I ask the Minister to investigate the amount of wrapping used on products. In the past, we used to scoop a pound of sugar from a box and take it home in a paper bag. I recall buying sweets in paper bags from my local sweetshop. Nowadays, sweets are wrapped individually.

I am pleased that the levies on landfill have been increased. I live beside two landfills, Arthurstown, which has taken waste from Dublin for the past decade, and Kerdiffstown, which has been in the news recently. I hope the increased levy will divert waste away from landfills. If waste is put into landfill, it becomes a legacy for the children of future generations but incineration and thermal treatment deals with it in the present. A thermal treatment plant in the centre of Vienna has become a tourist attraction. The waste coming out of incinerators is now being well treated and has no impact on the environment.

I urge the Minister to investigate how the environmental fund is being spent. The money generated by these levies is invested in the fund. The most recent records I could find date from 2008, when approximately €12 million was allocated to one of the worst quangos in this country, the EPA. Some €10 million of that money was spent on research and development

and €2 million was used for environmental enforcement. The phrase “environmental enforcement” is a bit of a joke in my constituency given that the EPA was the licensing authority for the landfill site at Kerdiffstown. The remediation of that legacy is going to cost the Exchequer between €60 million and €80 million. When I made a complaint about the site, the EPA took 18 months to respond. It asked me my reasons for making the complaint but given that I found it difficult to remember what I ate for breakfast that morning, how could I remember what happened 18 months ago? The Minister should review the operations of the EPA, either in the context of this Bill or under alternative legislation.

Problems arose when the landfill at Arthurstown was initially opened but the EPA must have used a bigger whip on South Dublin County Council because it is now being operated properly. The one problem I have with it is that the gas produced from the waste is laden with dioxins because it is not properly cleaned.

**Deputy Sandra McLellan:** I wish the Minister well in his new position. I support the position taken by my colleague, Deputy Stanley, on this Bill. While I agree with the polluter pays principle, it should not be applied disproportionately. A fee of 70 cent is an excessive amount to charge for plastic bags and it will hit working people at a time when they cannot afford any more costs. We need to start thinking of a new approach which shifts the burden away from ordinary people and on to those who produce the waste.

It is ironic that we are discussing this Bill on the day when the Government was given three months to clean up the site at Haulbowline. Ireland has the highest number of court cases in the EU on environmental issues. I welcome the European Commission decision to place a three-month time limit on the Government to begin the clean-up of the toxic waste site at Haulbowline. I salute the hard work of all those who campaigned for this decision over the past ten years, and particularly the voluntary groups from Cobh who took the case to the EU petitions committee and worked closely with their local authorities and councillors in the area.

While I acknowledge and welcome the positive role that the Fine Gael MEP, Seán Kelly, has played in the EU decision, it now comes down to whether his party in government will do the right thing and clean up the site or if it will follow the example of Fianna Fáil and the Green Party by denying and ignoring the problem. Fine Gael and the Labour Party have been vocal in the recent past in condemning Fianna Fáil and the Green Party for their failure to conduct a study of what was buried in Haulbowline and the Cork Harbour area. Cobh remains a cancer blackspot and this probably will not change after the Haulbowline site is cleaned up. The demand for a baseline study will not go away until it is granted and the time for half measures is past. The Fine Gael-Labour Party Government must fulfil the promises made before the election by offering the citizens of the communities of Cobh the protection and quality of life they deserve.

**Deputy Kevin Humphreys:** I wish to share time with Deputies John Paul Phelan and Robert Dowds.

I very much welcome the Bill. The plastic bags issue has been covered extensively. I welcome the flexibility being given to the Minister to increase the charge as needs be because there has been a move back to using plastic bags. The levy has been effective in reducing usage, but we need to go a step further. A levy could also be used to deal with the problem of chewing gum which is a blight on cities throughout the country.

Deputy Brian Stanley spoke about waste reduction, an issue at which we must look seriously. The way forward is to reduce the amount of waste created. We must take into consideration the number of shops using paper bags because that is waste and adding to the problem. The issue of plastic bottles should also be tackled.

[Deputy Kevin Humphreys.]

I refer to remarks made by Deputy Seán Fleming about the former Minister, Mr. John Gormley, a constituency colleague of mine, that he had engaged in parish pump politics. I do not accept that any Minister acts on that basis. I thought, therefore, that Deputy Fleming's remarks about the former Minister, his former partner in government, were disingenuous. It seems Fianna Fáil is very good at discarding its partners. We need only look at what happened to the Progressive Democrats and the Green Party.

Incineration is not a parish pump politics issue; it is one which affects the entire country and how we deal with waste. It affects the area which Deputy Eoghan Murphy and I represent. Most politicians in that area have not looked on it as a parish pump politics issue. We have the largest sewage treatment plant, two major power stations, the largest metal recycling facility and two cement factories. It is not a case of not in my back yard. It may be a case that our back yard is full.

Incineration is at the same level as that for landfill and we must push it up in the hierarchy. The levy is too low and must be higher. The cap is not high enough. We need to consider this issue further. I am concerned there is no levy on emissions from incineration. The emissions levy must be included in the Bill.

The remark has been made that once waste is incinerated, the problem has been solved, but that is not the case. Unfortunately, we must deal with the toxic waste from incineration. We do not have a toxic waste landfill site and under the EU directive, we must deal with our own waste. We will have to move very quickly in that regard.

Neither landfill nor incineration is the way forward. They will play a role, but an incinerator with the capacity to deal with 600,000 tonnes of waste in the Dublin region is far too big. Before any decision is made, I appeal to the Minister to ensure the Hennessey report is published. Extracts from the report which have found their way into the media imply that it will cost the taxpayer up to €320 million over 25 years in terms of the "put-or-pay" contract. Will the Minister clarify last year's media reports on whether there is a break in the contract for the incinerator on the Poolbeg Peninsula?

I wish the Minister good luck in his position. He will be an excellent Minister. I am delighted the Bill is before the House and look forward to contributing to the debate on Committee Stage.

**Deputy John Paul Phelan:** I congratulate my constituency colleague and friend, Deputy Phil Hogan, on his appointment as Minister and wish him well in his task. It is one of the busier Departments and he has responsibility for many functions which he is well capable of fulfilling. I wish him and his colleague, the Minister of State, Deputy Willie Penrose, the best of luck.

Deputy Kevin Humphreys spoke about Deputy Seán Fleming's criticism of the previous Minister and his actions in regard to the proposed incinerator in Poolbeg. I agree with Deputy Humphreys that it is a bit rich to listen to a man who was part of a government which for four years supported the policies the former Minister pursued accuse him of engaging in parish pump politics on the issue. However, it is no surprise to witness that level of hypocrisy.

I welcome a couple of aspects of the Bill. Shortly after I was elected to Kilkenny County Council for the first time waste management and incineration became huge national issues. At the time the level of recycling being achieved by the local authority in Kilkenny and I am sure by local authorities in most parts of the country was very low. It is worth pointing out that we have witnessed a significant improvement in the past 12 years in the level of recycling among households and businesses. There has been a sea change in attitude among the public to waste reduction, their local communities and the plastic bag levy which has been an outstanding

success in terms of its implementation. There is now room to look at the possibility of imposing a levy on other goods which cause serious litter problems.

Where I live in County Kilkenny is quite close to Waterford city; it is in the middle of approximately 5,000 acres of State forestry. However, it is the scene of the most horrendous dumping of household and business waste. I know it is not directly related to this legislation, but it is an issue that needs urgent action by local authorities in cracking down on the level of littering experienced.

Deputy Kevin Humphreys was right about extending the plastic bag levy scheme to cover chewing gum, glass bottles, plastic bottles and other items which are common among the litter on our streets. The Minister should consider the introduction of such a levy.

The Bill is a genuine attempt by the Government to reduce further the amount of waste going to landfill, the most harmful method of disposing of waste in terms of the effect on the environment. I welcome the fact that this is central to the legislation which is why I support it. Again, I wish the Minister and the Minister of State the very best.

**Deputy Robert Dowds:** Sula thosnóidh mé, ba mhaith liom comhgairdeas a ghabháil leis na hAirí nua, na Teachtaí Phil Hogan agus Willie Penrose.

I support the remarks made by Deputy Jim Daly about plastic bags. If we could get to a ban on plastic bags it would be a good thing. It is important to say that because some of what I say subsequently may appear to contradict this point. The legislation up to this point has greatly improved the situation. An increase in the levy is a good idea but it would be good if we got to the point where plastic bags were ultimately banned.

I do not remember who made the remark about packaging. The more we can encourage businesses to present products with the least amount of packaging, the better. Recently I took delivery of a computer and the amount of packaging was incredible. So many things are over-packaged and it adds to the cost and disposal problems. I would appreciate if that could be examined.

No other Member has referred to the following proposal in the context of this Bill, which I support. I ask the Minister to consider it. In public areas in my constituency and throughout the country, in parks, playgrounds and sports fields there is a problem of widespread consumption of alcohol at night time. Part of the problem concerns the consumption of alcohol but one of the side effects is the tremendous amount of litter left behind by those who drink alcohol. The major problem I have is that the alcoholic beverages are sold in glass containers. I appreciate that they are also sold in plastic and aluminium containers but I will focus on the glass bottles. The glass tends to be broken when it is left behind and this causes considerable problems in parks and other public places. It is difficult to deal with glass. Aluminium cans and plastic containers can be easily collected by citizens and council staff who do their utmost to keep places tidy. Smashed glass is much more difficult for citizens or staff to clean.

I receive complaints from people bringing dogs into parks about their pets' feet being cut. Parents have difficulty bringing children into parks because of broken glass. People involved in the management of football teams frequently complain about the state of pitches due to the fact that broken glass is strewn all over the pitch. Before they go training or before they play a match, they must spend time walking carefully across the pitch to ensure there is no glass that will cause problems to players. It is appalling that people who organise football teams and GAA teams should be presented with this problem. In the view of most people, those involved in this voluntary activity are the true patriots of this country. They do so much for the benefit of young people that they should not have to contend with this sort of problem. Organising matches and training should be sufficient work. While councils should clear up these areas,

[Deputy Robert Dowds.]

there is a limit to how much they can do. For that reason, I hope the Minister seriously considers this unorthodox suggestion. The sale of alcohol from off-licences and supermarkets should be in plastic or aluminium containers. While that would not alleviate the litter problem, it would remove the problem of broken glass in public areas. Football pitches would not have to be cleared before every training session or match and it would be much safer for children and pets to enter parks. Encouraging the use of plastic is not a great idea but I do not know any way around this problem. It is important for those who want to use public areas that they can do so safely. Such a measure would help in this regard.

**Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan):** I thank the Deputies who made contributions on Second Stage of this Bill, Members generally for their attendance over the course of the debate and their good wishes to the Minister of State, Deputy Penrose, and I in regard to our duties over the next while. I note the matters raised and I will reflect on the contributions made by Deputies in the context of progressing the Bill through Committee Stage.

It is my intention to have this Bill enacted at an early opportunity and I hope we can work constructively through any issues arising from the debate when the committees are established in May. As I stated when presenting this Bill to the House, my principal aim is to provide clarity in the waste policy area. This Bill is the first step in providing that certainty but it marks an important step in the development of a waste policy that will be in accordance with the EU waste hierarchy, with the key focus initially being on the immediate and significant challenge of diverting waste from landfill.

Using the guiding principles I have outlined, the new waste policy will be completed by the end of this year. The core objective of this Bill, in conjunction with the forthcoming waste policy, is to ensure that Irish businesses and householders have sustainable and efficient waste services that comply with Ireland's EU obligations. Furthermore, increased penalties and a new scheme of graduated fixed payment notices for offences under the Air Pollution Act will safeguard the improvements in our air quality which have resulted from the smoky coal ban.

Some Members referred to the increases in the landfill levy. These increases are considered necessary to make progress in meeting our EU obligations but they are only one element of waste management costs. There are programmes to support businesses and households to minimise waste generation and reduce costs. These programmes are administered by the EPA.

Other Members referred to the areas covered by the ban on smoky coal under the Air Pollution Act. These include Dublin city and county, Cork city, Limerick city, Drogheda, Arklow, Dundalk, Wexford town, Celbridge, Galway city, Leixlip, Naas, Waterford city, Bray, Kilkenny, Sligo and Tralee. Further information on the solid fuel regulations of 1988 are available on the EPA website.

The smoky coal ban applies to bituminous coal only, not other fuels such as wood or peat. Smokeless coal is widely available and is an effective alternative. The price difference between smoky and smokeless coal has reduced considerably since the ban. The price is dependent on the retailer but the difference can often be as low as 1% to 3%. The EPA recently reported that the impact of smoky coal burning in smaller towns, which remain outside the ban, is putting pressure on air quality in these towns. Ambient air in these towns can have a similar or higher level of pollutants than large cities, despite the much lower traffic volume. I will shortly be consulting on a range of options to ensure the smoky coal ban, which has played such a vital role in improving our air quality, continues to be effective in delivering improvements where needed. As part of this consultation, consideration will be given to extending the number of urban areas covered by the ban with the aim of improving ambient air quality in

these areas. The ban is on the sale and distribution of rather than use of bituminous coal. The amendments which I propose to introduce to the Air Pollution Act 1987 are specifically intended to support the enforcement activities of local authorities. In particular, it will now be open to local authorities to issue a fixed payment notice for breaches of the ban. As the ban relates to the sale and distribution of, as opposed to use of, smoky coal, such penalties would typically be incurred by retailers or distributors and not householders. This measure will support more efficient and direct enforcement of the ban. Cork County Council brought a successful prosecution for breach of the ban in 2010. I encourage our partners in local government to take a proactive approach to implementation of the ban. The measures to be enacted in this Bill are intended to support them in doing so.

I indicated in my opening speech that the Government has agreed that, subject to the enactment of the Bill, the rate of landfill levy will increase from €30 to €50 per tonne from 1 September 2011, which allows a sufficient lead-in time for the waste industry to prepare for them. I take on board some of the suggestions in relation to this being an increase in cost. More important, it will ensure we will have a concentration of minds in regard to diverting from landfill. If we do not do so, we will not be able to meet our EU obligations in 2013. The levy will increase again next year and the following year. I want to provide certainty to the industry in regard to what is intended during the next few years.

The proposed rates for landfill levy are comparable to those applicable in the UK, currently at £56 per tonne and due to rise in increments of £8 per annum until at least 2014, when it will reach £80. We must urgently accelerate the move away from landfill and the development of alternative waste infrastructure. If we fail to comply with landfill directive limits in 2013 and 2016, Ireland will face daily fines for non-compliance which would fall to be borne by the taxpayer. Although I have inherited this situation of having to make up for time lost, I am determined to do everything I can to avoid the imposition of fines on this State.

In addition, the Bill will provide an opportunity for the development of new and innovative uses for waste which hitherto had been held back by the availability of disposal as the cheapest but most environmentally unsound option. It should be realised that disposal costs are just one element of the cost of managing our waste. In progressing the Government's commitment to change the structure of the household collection market, other elements such as collection charges can also be addressed. Such an approach will also provide a means of addressing waste management provision for low income households, in line with a recent Ombudsman report.

As I indicated in my opening speech, I have been examining measures in this Bill in relation to the waste facility levy against the background of the transposition of the waste framework directive into Irish law and will announce my decision in this regard on Committee Stage. While I have no immediate plans to increase the existing plastic bag levy of 22 cent, my Department will continue to monitor consumer usage. In addition, the national litter pollution monitoring system, NLPMS, reports on the proportion of all litter that is accounted for by plastic bags. I take on board the suggestions made by Deputies Dowds, Jim Daly and Kevin Humphreys who put forward some specific ideas I might consider in respect of dealing with other items that constitute litter. Amendments to the rate of the levy are limited to changes in the consumer price index. I am providing for more flexibility in regard to the imposition of charges on plastic bags in the future. The *per capita* usage of plastic bags was 24 in 2009. Data indicate that this figure fell to 21 in 2010.

Some attention was given during the debate to the issues that will arise for consideration on Committee Stage. Before outlining some of these, I take this opportunity to acknowledge the contribution of our educational system in assisting our young people in environmental awareness in terms of the littering and pollution of our countryside and so on. I am examining the



[Deputy Phil Hogan.]

role of local authorities, as regulators and service providers, in the context of the EU services directive referred to by Deputy Tom Fleming.

I also acknowledge the contributions made by Deputies Lawlor, Coffey and John Paul Phelan on issues not alone relating to the plastic bag level but to landfill legacy issues and the Environmental Protection Agency. An EPA review is under way, the report of which I hope to receive in the next few weeks. I am sure I will be appearing before an Oireachtas committee in the future to discuss that report and any recommendations it contains, at which point Deputies will have an opportunity to engage further on the matter. Deputy Coffey has a long-standing commitment to cleaning up Portlaoigh. I am aware of the many legacy issues there. It is hoped, through the Deputy's membership of Dáil Éireann, that the Government will be able to assist him in addressing some of the problems in that area, in particular the legacy landfill site.

Other amendments that will be discussed on Committee Stage relate to the Aarhus Convention which obliges countries who are parties to the convention to meet requirements relating to access to information, public participation in decision making and access to justice in environmental matters. The programme for Government contains a commitment to complete ratification of the convention. We are delivering on this commitment by addressing that matter in this legislation. Several pieces of legislation have been used to address requirements under the convention, with the result that Ireland is now largely compliant with its provisions. The Office of the Attorney General has advised that a number of further measures are required before the ratification process can be completed. I also intend to introduce a provision which will enable any person to challenge in the courts a breach of a consent or licence where such a breach has an environmental impact. Consent will be broadly defined and will include IPPC licences, waste water licences, GMO licences, and so forth. Amendments will be made to the Planning and Development Acts 2000-2010 to ensure the judicial review provisions under the planning Acts are fully compliant with the Aarhus Convention.

The Office of the Attorney General has advised that the insertion of a new Part into the Environment (Miscellaneous Provisions) Bill 2011 is urgently required to provide essential technical amendments to the Planning and Development Acts 2000-2010. The new Part will make essential technical amendments to the planning Acts, including the insertion of definitions of "operator" and "quarry". Technical amendments are required to previously enacted amendments to sections 157 and 160 of the Planning and Development Act 2000 which provided that the existing seven year limitation on the taking of enforcement action for unauthorised development is removed in the case of quarrying and peat extraction. Other technical amendments will also be provided for, including a provision which will introduce a minimum threshold of 100 bed capacity to health infrastructural developments which should be sent directly to An Bord Pleanála under the strategic infrastructure consent procedure.

The Local Government Act 1998, as amended by the Local Government (Road Functions) Act 2007, will be amended to allow payments from the local government fund to the Minister for Transport to be expended on national roads and in the sustainable transport area. An additional amendment to the Air Pollution Act 1987 will be made to further support the implementation of the smoky coal ban. To ensure authorised officers are able to carry out their functions effectively, I will provide for assistance to be given by a member of the Garda Síochána where it is so requested by an authorised officer in cases where they are met with obstruction in exercising their functions. This amendment will also provide for a member of the Garda Síochána, who is of the opinion that a person is committing or has committed an offence under the relevant sections of the Act, to arrest the person without warrant. This is similar to existing provisions supporting litter wardens in carrying out their functions under section 23 of the Litter Pollution Act 1997. For the avoidance of doubt, the Waste Management Act will also

be amended to provide legal certainty for the making of payments to international organisations from the environment fund. Amendments required to underpin certain transfers of functions arising from the reorganisation of ministerial and departmental responsibilities will also be brought forward.

Meeting our EU obligations in respect of waste policy is a priority for me. I want to ensure Ireland makes progress in the development of a sustainable waste management sector. There are opportunities and challenges presented by the need to reorientate the way we deal with our waste. Ireland has a number of companies and individuals with innovative ideas to create jobs from the changes required in the sector. By moving to restructure the household collection market, we can address some of the concerns in relation to service provision, quality and cost.

I have indicated that the Government's waste policy will adhere to the waste hierarchy and will deliver for Irish householders and businesses. Such a policy cannot be about any one approach. It must be evidence-based and must be centred on delivering the best possible environmental performance and value for money. I thank Deputies for their constructive contributions to the Second Stage debate on this legislation, which I will carefully consider and try to address on Committee Stage.

Question put and declared carried.

**An Leas-Cheann Comhairle:** When is it proposed to take Committee Stage?

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Next Tuesday, subject to the agreement of the Whips.

Committee Stage ordered for Tuesday, 19 April 2011.

*Sitting suspended at 3 p.m. and resumed at 3.30 p.m.*

## Ceisteanna — Questions

### Priority Questions

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#### Straitéis 20 Bliain don Ghaeilge

1. Dhiafraigh **Michael P. Kitt** den an Aire Gnóthaí Pobail; Comhionannais agus Gaeltachta cé n uair a fhoilseofar an plean gníomhaíochta don Straitéis 20 Bliain don Ghaeilge; agus an ndéanfaidh sí ráiteas ina thaobh. [8095/11]

2. Dhiafraigh **Peadar Tóibín** den an Aire Gnóthaí Pobail; Comhionannais agus Gaeltachta cé na bearta atá tógtha aici le Straitéis 2030 d'fhorbairt agus do chaomhnú na Gaeilge agus na Gaeltachta a chur i bhfeidhm ó thaobh an Aonaid Straitéise sa Roinn Gnóthaí Pobail, Tuaithe agus Gaeltachta de; ó thaobh struchtúr traspháirtí a chur le chéile; ó thaobh aon dréacht-reachtaíochta a bhaineann leis seo; ó thaobh Plean Gníomhaíochta do na chéad sé mhí don obair thrasrannach ina gcuirfead na réimsí oideachais, Gaeltachta, fiontraíochta agus cruthú postanna, teaghlaigh, an phobail agus seirbhísí poiblí san áireamh. [8106/11]

**Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Dinny McGinley):** Tógfaidh mé Ceisteanna Uimh. 1 agus 2 le chéile.

Aithnítear sa Straitéis 20 Bliain don Ghaeilge 2010-2030, a bhfuil tacaíocht traspháirtí aici, go mbeidh gá le cur chuige céimneach chun bearta éagsúla na straitéise a chur i gcrích thar

[Deputy Dinny McGinley.]

thréimhse 20 bliain. Is cúis sásaimh dom a chur in iúl go bhfuil an coiste Rialtais faoin nGaeilge agus faoin nGaeltacht athbhunaithe ag an Rialtas faoi chathaoirleacht an Taoisigh féin agus go raibh an chéad chruinniú den choiste Rialtais ann maidin inniu.

Sa tréimhse amach romhainn, déanfaidh an coiste Rialtais maoirseacht ar an dul chun cinn maidir le cur i bhfeidhm na straitéise agus beidh grúpa oifigeach sinsearach ó na Ranna Rialtais cuí ag tabhairt tacaíochta don choiste Rialtais.

Chomh maith leis sin, tá aonad straitéise bunaithe i mo Roinnse ó thús na bliana seo, mar atá molta sa straitéis. Tá an t-aonad straitéise freagrach as maoirseacht a dhéanamh ar an bpróiseas pleanála straitéise agus ar phleananna oibríochta ó na comhlachtaí forfheidhmithe, chomh maith le cinntiú go ndéantar feidhmiú trasrannach ar thionscnaimh agus monatóireacht ar fhorbairt acmhainní. Go bunúsach, tá an t-aonad straitéise ag tabhairt aghaidh go córasach ar na céimeanna is gá a thógáil le cinntiú go gcuirtear an straitéis i bhfeidhm.

Maidir leis na bearta atá idir lámha i mo Roinnse chun an straitéis a chur i gcrích, tá dréachtphlean forfheidhmithe do chur i bhfeidhm na straitéise i mbliana curtha i dtoll a chéile ag an aonad straitéise. Tá an dréachtphlean seo le faomhadh agamsa, mar Aire Stáit, agus ag an Aire, an Teachta Jimmy Deenihan, chomh maith. Chomh maith leis sin, tá na céimeanna tosaigh á dtógáil ag an aonad straitéise i ndáil le hullmhú na dréacht-reachtaíochta faoin mBille Gaeltachta. Mar is eol don Teachta, táthar ag súil, ach cead an Rialtais a bheith ar fáil di, go bhfoilseofar an dréacht-reachtaíocht i 2012, de réir phlean reachtaíochta an Rialtais. Tá roinnt grúpaí oibre bunaithe nó ar tí a bheith bunaithe, idir oifigigh san aonad straitéise i mo Roinn agus oifigigh i Ranna agus i gcomhlachtaí poiblí eile, chun tosaíochtaí na straitéise a chur chun cinn.

Is léir, mar sin, go bhfuil dul chun cinn á dhéanamh agus go bhfuil aghaidh á thabhairt ar na céimeanna is gá a thógáil d'fhonn an straitéis a chur i bhfeidhm laistigh de na hacmhainní teoranta atá ar fáil san aeráid eacnamaíoch reatha.

**Deputy Michael P. Kitt:** Ar dtús, déanaim comhgairdeas leis an Aire Stáit agus leis an Aire.

Bhí an Tánaiste ag caint sa Dáil ar maidin mar gheall ar an bhfo-choiste i leith na Gaeilge. Tá cupla ceist agam maidir leis an ráiteas sin. Cén uair a bheidh an plean foilsithe? Mar shampla, an mbeidh sé foilsithe roimh bhriseadh an tsamhraidh?

**Deputy Dinny McGinley:** Mar a dúirt mé, bhí an chéad chruinniú ag an choiste Rialtais inniu. Tá aonad straitéise i mo Roinnse atá ag ullmhú pleananna chun an dréacht-reachtaíocht a thabhairt chun tosaigh. Tá roinnt grúpaí oibre bunaithe, idir oifigí san aonad straitéise agus i Ranna, in oifigí agus i gcomhlachtaí eile. Tá na comhráití ag dul ar aghaidh agus na tuairimí á mbailiú agus tá an dréacht-reachtaíocht á ullmhú. Tá súil againn go mbeidh sé ar fáil, go cinnte go luath san bhliain seo chugainn.

**Deputy Michael P. Kitt:** An mbeidh seans againn an cheist seo a phlé sa Dáil agus díospóireacht a chur ar bun?

**Deputy Dinny McGinley:** Maidir leis an reachtaíocht is gá a thabhairt isteach leis an straitéis a chur chun cinn, is cinnte go mbeidh sé sin á phlé sa Dáil nuair a bhéas an Bille ag dul tríd an Dáil. Chomh maith leis sin, tuigim ón méid a bhí le rá anseo ar maidin go bhfuil sé beartaithe díospóireacht a bheith sa Dáil gan mhoill. Beidh sé sin le socrú ag na hAoirí. Ós rud é go bhfuil an t-am teoranta, muna mbeidh sé ar siúil roimh na Cásca is dócha go mbeidh sé go luath tar éis na Cásca.

### Community Development

3. **Deputy Finian McGrath** asked the Minister for Community; Equality and Gaeltacht Affairs the position regarding funding to the State assisted community and voluntary groups on the northside of Dublin City; if funding to such groups has been reduced in recent years; if the number of community groups in this area that are seeking funding has increased or decreased in recent years; and if she will make a statement on the matter. [8127/11]

5. **Deputy Finian McGrath** asked the Minister for Community; Equality and Gaeltacht Affairs the number of community groups that have applied for funding for the first time between 2010 and 2011; the way that number compares to previous years; and if she will make a statement on the matter. [8129/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 3 and 5 together.

In relation to the Deputy's first question, I assume he is referring to the process of cohesion of local delivery structures which my Department has been pursuing in recent years, in order to simplify and enhance the effectiveness of the delivery of a range of local development programmes. In January 2010, the local development social inclusion and community development programmes were superseded by the local and community development programme, LCDP. A key difference between the new programme and its predecessor programmes is that when it is fully implemented it will be delivered through an integrated delivery structure in each of the 52 local development company areas.

In advance of proceeding to establish a single integrated programme, my Department undertook an evaluation of individual community development projects, CDPs, in 2009. The objective of the review was to identify those projects that produce tangible, appropriate benefits for the communities they serve. Following the review process, funding was withdrawn from three CDPs in the north inner city area of Dublin.

More generally, while a national model involving full integration was set out by the Department, it was made clear that other options could be considered once they met a range of criteria including reduced structures, better integrated delivery of services, supporting efficiencies and reducing company law compliance requirements for CDPs, a direction in which many of them wished to go.

In this context, over the past year or so my Department has been progressing the integration of some 140 CDPs, either with the local development companies or through an alternative mechanism. I am pleased to report that this work was largely completed by the end of March 2011. To date, six alternative models have been approved and these include a proposal from the Northside Partnership which involves a reduction in the number of structures from five to two in the catchment area.

The Deputy should also note that three CDPs have formally opted out of the programme and are no longer receiving funding in 2011. These include a project based in Kilbarrack. In such cases, my Department has asked the local development companies, including the Northside Partnership, for proposals to fill any gaps in service provision that are arising. A number of such proposals are currently being examined.

In terms of funding in 2011, Deputies will be interested to note the allocations to the local development companies have been only marginally reduced compared to 2010, by approximately 3%. I am confident that this will allow for the continuation of important support for people in disadvantaged communities and will allow for the key essential front line services, delivered through the programme, to be maintained this year.

[Deputy Frances Fitzgerald.]

In regard to the Deputy's second question, my Department supports and manages a broad range of schemes and programmes across a number of different business areas. These include local and community development, tackling drug misuse, rural development, the Irish language, Gaeltacht and island development, dormant accounts and family support.

In many instances, community groups do not apply directly to my Department for funding, rather they apply to their local Leader or partnership company or drugs task force or, in some instances, to Pobail, which manages a range of schemes on behalf of my Department. Consequently, the Department has been unable in the time available to collate the details sought by the Deputy regarding the number of community groups that applied for funding for the first time in 2011, as opposed to 2010, and how this number compares to previous years.

However, if the Deputy has a specific scheme or programme in mind, I will be happy to ask my Department, or Pobail, as appropriate, to provide him with the relevant information as soon as possible.

**Deputy Finian McGrath:** I thank the Minister for her detailed response. This is my first opportunity to wish her well in her new job. I know she has a strong interest in the issues raised in today's question.

Does the Minister and her Government value the huge amount of work done by the community and voluntary sector for many years in this country? This type of community patriotism should be recognised and supported. In the current economic climate, does she accept that she has role in protecting these voluntary services? What strategies does she have to do this in 2011 and 2012?

**Deputy Frances Fitzgerald:** In the programme for Government, protecting the most vulnerable is a key priority and working with communities, especially disadvantaged communities, is central to that. In my reply, I outlined the funding for this sector for 2011 and how it has been protected. Nonetheless, there is a 3% decline in funding, but the amount of funding that has been allocated is indicative of the central role that we would expect the community and voluntary sector to play in the immediate future and in the long term as well.

We are protecting and supporting this sector with the reforms that have been brought in. We want to ensure that these programmes survive and we are looking for greater efficiencies. We are looking to take some of the onerous pressures off the management of the community groups by co-ordinating things at a macro level. That is supportive of those groups. In the main, many of them have welcomed it. This means change and that has been difficult for some of the groups. I acknowledge that and I know it from meeting some of the groups. However, once the services and the jobs are being protected, they have welcomed the re-organisation.

**Deputy Finian McGrath:** Will the Minister strongly support groups like Northside Centre for the Unemployed in Coolock, and the Kilbarrack Group, which deals with young people at risk in disadvantaged areas? There is a major problem for the Justice for the Forgotten group, which is based in Gardiner Street. The previous Government slashed its funding, and its members had to go to the Pat Finucane Centre to get new funding to keep it going. It supports the families of the victims of the Dublin and Monaghan bombings. Will the Minister look at these as priority issues?

**Deputy Frances Fitzgerald:** If the Deputy supplies me with the details of those groups, I would be happy to follow up.

In advance of establishing a single, integrated programme, the Department undertook an evaluation of individual community development projects in 2009. The objective of the review was to identify those projects that produce tangible, appropriate benefits for the communities they serve. Where projects were not recommended for continued funding — 29 in total — I want to reassure the House that an appropriate, independent appeals mechanism was put in place, and 24 CDPs appealed to the Department. The appeals board completed its work on 29 January 2010 and the report has been published on the Department's website. In ten cases, the Department's decision was overturned. Following the review process, the LCDP funding was withdrawn from three community development projects in the north inner city area. I can provide details of those to the Deputy if he would like them.

### **Feidhmeanna Fiontraíochta**

4. D'fhiafraigh **Seán Ó Feargháil** den Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta an bhfuil sé i gceist feidhmeanna fiontraíochta Údarás na Gaeltachta a fhágáil acu sa bhfadtárma; agus an ndéanfaidh sí ráiteas ina thaobh. [8096/11]

**Deputy Dinny McGinley:** Mar is eol don Teachta, tá sé molta sa straitéis 20 bliain don Ghaeilge, a ritheann ó 2010 go 2030, go mbunófaí údarás Gaeilge agus Gaeltachta, dar teideal “Údarás na Gaeilge agus na Gaeltachta”, a ghníomhódh ar bhonn náisiúnta agus a chomhlíonadh feidhmeanna ábhartha a dhéanann Údarás na Gaeltachta agus eagraíochtaí Stáit agus neamhrialtasacha eile i láthair na huaire, de réir mar is cuí. Tá sé ráite sa straitéis freisin go leagfar síos ról sonracha agus feidhmeanna sonracha an údaráis mholta nua i ndrucht-reachtaíocht. Tá na céimeanna tosaigh á dtógáil i mo Roinn i ndáil le hullmhú na drucht-reachtaíochta faoin mBille Gaeltachta. Táthar ag súil go bhfoilseofar an drucht-reachtaíocht i 2012, de réir phlean reachtaíochta an Rialtais. Ag an gcéad chruinniú inniu den choiste Rialtais faoin nGaeilge agus faoin nGaeltacht, atá athbhunaithe ag an Rialtas faoi chathaoirleacht an Taoisigh, rinneadh plé ar na féidearthachtaí maidir le cur i bhfeidhm na straitéise. Tá mo Roinn chun roinnt moltaí maidir leis na féidearthachtaí seo agus na roghanna a bhaineann leo a ullmhú don chéad chruinniú eile den choiste Rialtais.

**Deputy Michael P. Kitt:** Deireann an straitéis 20 bliain go bhfuil na feidhmeanna fiontraíochta le fágáil leis an údarás. An bhfuil an Aire Stáit ag seasamh le sin? Is ceist shimplí í.

**Deputy Dinny McGinley:** Os rud é go bhfuil ceantar Gaeltachta i mo dháilcheantar fhéin, tuigim an tábhacht a bhaineann le Údarás na Gaeltachta. Tá an-obair déanta ag an údarás, mar shampla chun postanna a chur ar fáil. Tá dualgas fiontraíochta mar chuid dá ndualgaisí. Tuigim chomh tábhachtach agus atá sé gur mar sin a bheidh; ach é sin ráite, táimid ag ullmhú na drucht-reachtaíochta anois. Tá na moltaí agus na tuairimí uilig á bplé sa Roinn, sna Ranna eile a bhfuil teagmháil againn leo agus ag an ionad straitéise. Beidh na cúraimí a bheidh ag Údarás na Gaeltachta le feiceáil sa druchtphlean.

**Deputy Michael P. Kitt:** Tá Gaeltacht i nGaillimh freisin, mar is eol don Aire Stáit.

**Deputy Dinny McGinley:** Tuigim é sin. Níl sé i nGaillimh Thoir.

**Deputy Michael P. Kitt:** Tá muintir na Gaeltachta sa chontae ag iarraidh a chinntiú go mbeidh na feidhmeanna seo ag an údarás. An bhfuil an Aire Stáit in ann a rá go mbeidh na feidhmeanna ag an údarás?

**Deputy Dinny McGinley:** Tá sé molta sa straitéis go mbeidh na feidhmeanna ag an údarás. Tá siad ag an údarás i láthair na huaire. Tá deacrachtaí leo, áfach, de bharr go bhfuil íslú tagtha ar an allúntas caipitil atá curtha ar fáil don údarás i mbliana, ó €16 milliún anuraidh go dtí €6

[Deputy Dinny McGinley.]

milliún i mbliana. Caithfidimid amharc ar na féidearthachtaí atá ann i gcomhthéacs an aeráid eacnamaíochta atá againn. Mar a dúirt mé, tá an straitéis sa Roinn agus tá an dréacht-reachtaíocht á ullmhú. Beidh gach rud soiléir sa dréacht-reachtaíocht.

*Question No. 5 answered with Question No. 3.*

### Other Questions

#### Údarás na Gaeltachta

6. D'fhiafraigh **Caomhghnín Ó Caoláin** den Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta cathain a bheidh toghcháin Údarás na Gaeltachta ann. [7964/11]

14. D'fhiafraigh **Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta cad é todhchaí Údarás na Gaeltachta. [7963/11]

22. D'fhiafraigh **Aengus Ó Snodaigh** den Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta an bhfuil sé mar aidhm ag an rialtas cead a thabhairt d'Údarás na Gaeltachta Príomhfheidhmeannach a cheapadh. [7962/11]

**Deputy Dinny McGinley:** Tógfaidh mé Ceisteanna Uimhreacha 6, 14 agus 22 le chéile.

Mar is eol do na Teachtaí, tá sé molta sa straitéis 20 bliain don Ghaeilge, a ritheann ó 2010 go 2030, go mbunófaí údarás na Gaeilge agus na Gaeltachta a ghníomhódh ar bhonn náisiúnta agus a chomhlíonfadh feidhmeanna ábhartha a dhéanann Údarás na Gaeltachta agus eagraíochtaí Stáit agus neamhrialtasacha eile i láthair na huair, de réir mar is cuí. Tá sé ráite sa straitéis freisin go leagfar síos ról sonracha agus feidhmeanna sonracha an údaráis mholta nua i ndrucht-reachtaíocht. Tabharfaidh an Rialtas tacaíocht don straitéis chomh fada is a bhaineann sé leis na spriocanna indéanta atá molta ann a sheachadadh, mar atá luaite go sonracha sa chlár Rialtais. Tá na céimeanna tosaigh á dtógáil i mo Roinn i ndáil le hullmhú na dréacht-reachtaíochta faoin mBille Gaeltachta agus táthar ag súil go bhfoilseofar an dréacht-reachtaíocht i 2012, de réir phlean reachtaíochta an Rialtais. Maidir le post príomhfheidhmeannach Údarás na Gaeltachta, tá Conradh an phríomhfheidhmeannaigh ghníomhaigh ar an údarás i bhfeidhm go dtí deireadh na bliana seo. Déanfar cinneadh maidir le príomhfheidhmeannach nua a cheapadh ar an údarás i gcomhthéacs na n-athruithe eagraíochtúla a eascróidh as an dréacht-reachtaíocht thuasluaite.

Faoi réir na reachtaíochta atá i bhfeidhm faoi láthair, beidh na chéad toghcháin eile d'Údarás na Gaeltachta le réachtáil faoin 1 Deireadh Fómhair 2012. Beidh an cás maidir leis na chéad toghcháin eile á bhreithniú i gcomhthéacs na dréacht-reachtaíochta fosta.

**Deputy Pearse Doherty:** Guím gach rath ar an Aire Stáit sa phost nua atá aige mar duine as mo pharóiste féin. Tá cúpla ceist shimplí ó thaobh na gcúraimí a bheidh ag Údarás na Gaeltachta. Tá a fhios againn faoin reachtaíocht agus faoin spriocdáta toghcháin atá ann. Chuir an Rialtas deireanach síneadh leis sin ach ba mhaith linn cinneadh dearfach, cinnte ón Rialtas nua nach gcuirfeadh síneadh eile leis sa reachtaíocht agus go mbeidh an toghchán ar a laghad ar an dáta sin, nó fiú taobh istigh den téarma atá leagtha síos. Is féidir leis an Rialtas seo anois síneadh a chur leis an reachtaíocht lena chur níos faide siar ná 2012. An bhfuil sé ar intinn ag an Rialtas go mbeidh sé taobh istigh den seal ama atá leagtha síos?

Ó thaobh príomhfheidhmeannach Údarás na Gaeltachta de, seo cinneadh dearfach a thiocfadh leis an Rialtas a dhéanamh ná príomhfheidhmeannach a cheapadh sa dóigh is nach bhfuili-

mid ag dul ón áit ina bhfuilimid faoi láthair suas go dtí 2012 gan cheannasaíocht mar is ceart ar bhord Údarás na Gaeltachta.

Cuireadh cúpla ceist le chéile anseo so caithfidh mé iad a phlé go mion. Chuir muid ceist faoin ról atá ag Údarás na Gaeltachta amach anseo. Bhí ceist shimplí curtha síos ag an Teachta Dála a labhair romham faoi cheisteanna fiontraíochta Údarás na Gaeltachta. Níor chuala muid go fóill an tAire Stáit ag rá go mbeadh cúraimí fiontraíochta ag Údarás na Gaeltachta. Chuir mé féin ceist an gcuirfidh an Rialtas an straitéis 20 bliain i bhfeidhm. Tá sé ráite go soiléir sa straitéis sin go bhfuil cúraimí fiontraíochta le bheith ag Údarás na Gaeltachta agus tá a fhios againn go bhfuil an pobal ag iarraidh cúraimí.

Níl mé ag cur ceiste go pearsanta ach ag cur ceiste ar an Aire Stáit ag a bhfuil na cúraimí ó thaobh na reachtaíochta agus ó thaobh an róil a bheidh ag Údarás na Gaeltachta. An bhfuil an tAire Stáit ag cur comharthaí ceiste faoi na cúraimí fiontraíochta atá ag Údarás na Gaeltachta? Cuirfidh mé i gcuimhne don Aire Stáit an méid a dúirt sé agus é ag plé na ceiste seo leis an iar-Aire ag tús na bliana. Dúirt sé go raibh an Rialtas ag cleasaíocht leis an Ghaeilge, an Ghaeltacht agus leis na hoileáin. Dúirt sé sin nuair a bhí sé ag caint faoi chúraimí fiontraíochta a bheith ag Údarás na Gaeltachta agus an comhartha ceiste a bhí ann ag an phointe sin. An bhfuil an Rialtas seo ag cleasaíocht? Cén fáth go bhfuil comharthaí ceiste faoi chúraimí Údarás na Gaeltachta agus cén fáth nach an tAire Stáit in ann a rá go bhfuil cúraimí fiontraíochta le bheith fágtha ag Údarás na Gaeltachta, mar atá beartaithe sa straitéis 20 bliain agus ag an choiste a raibh an tAire Stáit mar pháirt dó a bhí ag déileáil leis seo nuair a foilsíodh an straitéis?

**Deputy Dinny McGinley:** Maidir leis an toghchán, mar is eol don Teachta, chuir an tAire romham an toghchán siar, cúig bliana a ba ghnách a bheith ann agus cuireadh siar chomh fada agus is féidir gan reachtaíocht go dtí mí Dheireadh Fómhair na bliana seo chugainn. I láthair na huaire tá an dréacht-reachtaíocht á hullmhú faoi choinne an straitéis a bhrú ar aghaidh. Thug muid go léir tacaíocht don straitéis agus tá lúcháir orm gur thug.

Go dtí go mbeidh an dréacht-reachtaíocht socraithe, tá na cúraimí sin go léir ag an údarás i láthair na huaire i bprionsabal ach níl siad aige go praiticiúil mura bhfuil na hacmhainní aige chun na cúraimí a chomhlíonadh.

Mar a fheicim an straitéis ag an phointe seo, agus an-chuid oibre curtha istigh inti, saghas léarscáile atá inti. An job atá le déanamh agam, ag an Roinn agus ag an Rialtas ná na bóithre cearta a dhéanamh amach go rachaimid sa treo ceart. Níl mé sásta bóthar a thógáil ar chaorán, níl mé sásta ach bóthar a thógáil ar thalamh crua, bóthar a mhairfeas. Nuair a chuirfear an dréacht-reachtaíocht i láthair na Dála, beidh sé soiléir cad iad na cúraimí a bheidh ar an údarás. Tá cúraimí breise molta sa straitéis don údarás ach is é an job atá le déanamh ag an Rialtas anois ná breathnú cad é an dóigh fearr leis na prionsabail seo agus an aisling seo a chur i bhfeidhm. Go dtí go bhfuilimid socair inár n-intinn féin, sin mar a bheidh sé.

**Deputy Pearse Doherty:** Dúirt an tAire Stáit go bhfuil reachtaíocht á hullmhú leis an straitéis a chur i bhfeidhm. Cuirfidh mé i gcuimhne dó cad é atá ann sa straitéis. Go soiléir, beidh cúraimí fiontraíochta á gcoinneáil ag Údarás na Gaeltachta. Tá an tAire Stáit ag rá go bhfuil reachtaíocht á hullmhú leis sin a chur i bhfeidhm ach níl sé in ann a rá go mbeidh cúraimí fiontraíochta ag Údarás na Gaeltachta. Tuigimid uile go bhfuil géarghá le níos mó airgid chaipitil ag Údarás na Gaeltachta, luaigh an tAire Stáit sin nuair a bhí sé féin in a bhall den fhreasúra. Tuigimid fosta go bhfuil Údarás na Gaeltachta ag cruthú 1,000 post gach bliain ar fud na nGaeltachtaí agus go bhfuil na comhlachtaí atá ag fáil tacaíochta ó Údarás na Gaeltachta ag cur isteach €1.5 billiún sa gheilleagar gach bliain. Tuigimid go bhfuil deacrachtaí ann ach tuigi-



[Deputy Pearse Doherty.]

mid fosta go bhfuil sé go soiléir sa straitéis, go dubh agus bán, rud nach bhfuil an tAire Stáit toilteanach a rá inniu, go mbeidh cúraimí fiontraíochta ag Údarás na Gaeltachta.

Má tá an tAire Stáit ag rá go bhfuil an Rialtas ag ullmhú reachtaíochta teicniúla, ceart go leor, táimid uilig ar chúl fíis na straitéise ach níl an Rialtas seo ar chúl fíis na straitéise mura bhfuil sé in ann a rá go mbeidh cúraimí fiontraíochta ag Údarás na Gaeltachta mar sin ceann de na páirteanna atá sa straitéis go dubh agus go bán. Chreid pobal na Gaeltachta, nuair nach raibh sin ann sa dréacht-straitéis go dubh agus go bán, go bhfuair siad isteach é sa straitéis a foilsíodh. An féidir leis an Aire Stáit an comhartha ceiste sin a bhaint as an ábhar agus a rá go bhfuil sé ag seasamh leis an straitéis, go háirithe an pointe sin faoi chúraimí fiontraíochta ag Údarás na Gaeltachta, atá ag cruthú 1,000 post sa Ghaeltacht gach bliain agus ag tacú leis an gheilleagar le €1.5 billiún ó na comhlachtaí lena dtacaíonn an t-údarás?

**Deputy Dinny McGinley:** Tá sé léirithe ag an Rialtas go bhfuil sé taobh thiar den straitéis seo a chur i bhfeidhm chomh fada agus is féidir. Tá sin luaite i bpolasaí an Rialtais a foilsíodh. Brathann sé go léir ar an reachtaíocht, atá riachtanach, mar a aithnítear sa straitéis, go gcuirfear i bhfeidhm na cuspóirí atá sa straitéis. Caithfidimid fanacht go dtí go bhfuil an reachtaíocht sin réidh le cur os comhair na Dála. Idir an dá linn, tabharfaimid an tacaíocht is mó gur féidir linn d'Údarás na Gaeltachta. Mar Theachta Dála ó cheantar Ghaeltachta, tuigim cé chomh tábhachtach agus atá ról an údaráis ó thaobh fostaíochta de. Ní dhéanfaidh mé dearmad air sin.

**Deputy Éamon Ó Cuív:** Ag éisteacht leis an Aire Stáit, is léir go bhfuil an dearcadh sórt pick and mix ag an Rialtas, go roghnófar rudaí áirithe as an straitéis 20 bliain agus go bhfágfar rudaí eile ar leataobh. An cheist atá agam ná an bhfágfar feidhmeanna fostaíochta agus fiontraíochta ag Údarás na Gaeltachta; deir an straitéis go soiléir go bhfágfar. Ón bhfreagra a thug an tAire Stáit, tuigim go bhfuil sé go báúil é féin dó sin. Sin ceann de na gearáin atá agam: go bhfuil Aire sóisearach i mbun na Gaeltachta seachas Aire sinsearach. Tá sé tuillte ag an Aire Stáit bheith ina Aire sinsearach.

Tá a fhios agam go bhfuil cuid den Státchóras gur maith leo feidhmeanna fiontraíochta a bhaint den údarás. An bhfágfar nó nach bhfágfar feidhmeanna fostaíochta ag an údarás?

**Deputy Pearse Doherty:** Tuigim ón méid atá ráite ag an Aire Stáit le 20 bomaite anois go bhfuil seans ann go mbeidh cúraimí fiontraíochta agus fostaíochta fágtha ag Údarás na Gaeltachta ach go bhfuil seans ann fosta nach mbeidh agus go gcaithfidimid fanacht go dtí go bhfoilseofar an reachtaíocht ag tús na bliana. Níl sin inghlactha agamsa agus tá a fhios ag an Aire Stáit go maith nach mbeidh sin inghlactha ag pobal na Gaeltachta ach oiread.

Ceann de na ceisteanna atá agam ná caidé a thiocfaidh amach taobh istigh de sé mhí ó thaobh na straitéise a chur i bhfeidhm? Phlé muid scéim labhairt na Gaeilge ar na meáin ar maidin. An bhfuil sé ar intinn ag an Rialtas scéim úr a chur ar bun in áit scéim labhairt na Gaeilge i mhí Mheán Fómhair agus an bhfuil se i gceist go mbeidh an airgead atá á shábháil ag an Rialtas, siocair deireadh a chur le scéim labhairt na Gaeilge, in úsáid fá choinne an scéim úr seo? An mbeidh scéim úr i bhfeidhm i mhí Mheán Fómhair nuair a stopann scéim labhairt na Gaeilge agus an mbeidh muid ag cur an airgid céanna, ar a laghad, isteach sa scéim úr sin?

**Deputy Dinny McGinley:** Is fíor go bhfuil deireadh á chur le scéim labhairt na Gaeilge i mbliana agus gur seo an bhliain dheireannach don scéim reatha. Tá comhráití agus díospóireacht ar siúl agus pleananna á phlé sa Roinn i láthair na huair le scéim oiriúnach a chur ar fáil a bheidh níos éifeachtaí ó thaobh na Gaeilge de ná an scéim a bhí ann go dtí seo. Dá mbeadh ag éirí leis an scéim a bhí ann go dtí seo, is cinnte nach mbeadh na deacrachtaí ann maidir le

4 o'clock

cainteoirí dúchais i ngach Gaeltacht agus atá ann i láthair na huair, nuair atá a líon ag ísliú agus daltaí ag teacht ar scoil gan an Ghaeilge mar chéad theanga acu. Bheinn ag súil go mbeidh plean de chineál éigin ar bun don chéad scoilbhliain eile. B'fhéidir nach mbeidh sé bunaithe ar an scoil, mar a bhí an sean plean, ach b'fhéidir go mbeidh sé bunaithe ar na teaghlaigh a tholaíonn a gclann a thógáil le Ghaeilge ón lá a thagann siad ar an saol. Sin atá muid ag iarraidh. Muna féidir linn é sin a fháil sna ceantair Gaeltachta, is beag difear a bheid idir na teaghlaigh sin agus teaghlaigh taobh amuigh den Ghaeltacht a fhoghlaimíonn an Ghaeilge de réir mar a théann siad ar aghaidh. Caithfidimid díriú isteach anois ar chosaint a thabhairt do chainteoirí dúchais, cainteoirí dúchais a chruthú, an teanga a chothú agus an slabhra sin a choinneáil beo gan bhriseadh.

**Deputy Éamon Ó Cuív:** Tá ceist eile agam a thacaíonn leis an Aire Stáit. Bhí aimhreas ormsa i gcónaí faoi scéim labhairt na Gaeilge mar tá sé ró-dheireannach ag cúig nó sé bliana d'aois nós teanga teaghlaigh a athrú. D'fhág muid an scéim ann mar nach raibh socruithe cuí déanta le déanamh cinnte go bhféadfadh linn díriú ar na gasúir nuabheirthe. Go deimhin, bhí oifigeach de chuid na Roinne a déarfadh go mba cheart tosú sna discos, nuair a chasann an cúpla le chéile. Dúirt ball de Pháirtí Fhine Gael ar maidin go mba cheart an airgead a chaitheamh sna scoileanna. Bhí easpa tuisceana iomlán ar an mball sin, an chomhairleoir “Cosá” Mac Gearailt, faoi bhunús scéim labhairt na Gaeilge, mar is ag caint le scoileanna a bhí sé faoi theaghlaigh lán-Ghaeilge a bhí i scéim labhairt na Gaeilge.

Tacóidh mé leis an Aire Stáit go hiomlán más rud é gurb é an leasú a chuireann sé ar an scéim ná tacaíocht a thabhairt do theaghlaigh le ghasúir nuabheirthe ina mbeidh an Ghaeilge mar theanga an teaghlaigh. Más sin an leasú a dhéanfar ar an scéim, táim leis an Aire Stáit. Má thógtar ón teaghlach é agus má dhírítear ar an scoil é, beidh mé in aghaidh an Aire Stáit, mar ní shin an chríoch ná an aidhm a bhí leis an scéim riamh. An rud is géire a theastaíonn sa Ghaeltacht ná gasúir ag a bhfuil an Ghaeilge mar theanga an teaghlaigh. Tá súil agam gur féidir leis an Aire Stáit a dhearbhu anseo inniu go bhfuil an €700,000 a bhí i gceist leis an scéim seo curtha ar leataobh le haghaidh na scéime nua.

**Deputy Pearse Doherty:** Ar an ábhar céanna, tacaím leis an Aire Stáit fosta maidir leis an scéim úr. Tá súil agam go mbeidh an scéim úr i bhfeidhm agus í bunaithe ar na prionsabail a luaigh an Aire Stáit, mar tá athstruchtúr de dhíth ar an scéim. Dúirt an tAire Stáit go bhfuil súil aige go mbeidh scéim úr ann. Muna mbeidh an scéim úr i bhfeidhm — b'fhéidir go mbeidh deacrachtaí sa Roinn an scéim úr a chur i bhfeidhm ag tús na scoilbhliana — an mbeidh an tAire Stáit sásta síneadh a thabhairt do scéim labhairt na Gaeilge go dtí go mbeidh an scéim úr i bhfeidhm?

**Deputy Dinny McGinley:** Tá an cinneadh déanta maidir leis an scéim reatha a bhí ann go dtí seo. Aontaím leis an chuid a bhí le rá ag an Teachta. Bhí mé i mo mhúinteoir scoile mé féin sul ar tháinig mé anseo agus chonaic mé mar a bhí scéim labhartha na Gaeilge ag oibriú. Bhí an chontúirt ann i gcónaí go raibh sí ró-cheangailte leis an Ghaeilge sa scoil in áit leis an Ghaeilge sa teaghlach. Aontaíonn achan duine dúinn anois nár éirigh leis an scéim na cuspóirí a bhí aici a chur i bhfeidhm, sé sin, cainteoirí dúchais a chur ar fáil. Tá difear idir buachaill nó cailín a thagann ar scoil ag ceithre, cúig nó sé bliana d'aois agus teanga amháin acu agus an Ghaeilge a fhoghlaim ansin agus an dalta a thagann ar scoil a bhfuil an Ghaeilge aige nó aici ón gliabhán.

An scéim a ba mhaith liomsa a fheiceáil ná an scéim atá á phlé agus a bhfuil tuairimí ag teacht isteach fúithi. Tá dóchas agam go mbeidh scéim de chineál éigin againn nuair a thosaíonn an scoilbhliain úr agus go mbeidh muid ábalta cuidiú de chineál éigin a thabhairt do theaghlaigh a chineann a gclann a thógáil le Gaeilge. Sin an easnamh mór atá ann. Má éiríonn linn sin a

[Deputy Dinny McGinley.]

dhéanamh, beidh lúcháir orainn uilig go dtáinig an t-athrú ó scéim amháin go dtí scéim úr. Tá seo á phlé, ach níl sé socraithe go fóill. Is furasta rud a shocrú agus an socrú mícheart a dhéanamh. Nílím i m'Áire Stáit sa Roinn ach le cúpla seachtain agus níor mhaith liomsa léim isteach agus go mbrisfeadh an oighear faoi mo chosa. Ba mhaith liom an rud cheart a dhéanamh ó thaobh na Gaeilge, ó thaobh na gcainteoirí dúchais agus ó thaobh na Gaeltachta.

**Deputy Éamon Ó Cuív:** An féidir leis an Aire Stáit a dheimhniú go bhfuil an €700,000 curtha ar leataobh fá chuige sin?

### Social Inclusion

7. **Deputy Charlie McConalogue** asked the Minister for Community, Equality and Gaeltacht Affairs the way she will eliminate poverty and meet targets set in the National Action Plan for Social Inclusion following a commitment made in the Programme for Government. [7988/11]

**Deputy Frances Fitzgerald:** Elimination of poverty is an objective of Government. We are committed to achieving the targets in the national action plan for social inclusion to reduce the number of people experiencing poverty. That target is to reduce the number of those experiencing consistent poverty to between 2% and 4% by 2012, with the aim of eliminating consistent poverty by 2016. The target is reiterated in the draft national reform programme submitted to the EU Commission in December 2010, which sets out Ireland's commitments to achieving the poverty target in the Europe 2020 strategy.

The challenge to meet the national poverty target in the present economic situation is considerable, as indicated by the rise in the consistent poverty rate from 4.2% in 2008 to 5.5% in 2009. The overriding objective now is to increase employment, build real and sustainable economic growth and to protect those who are most vulnerable in society.

The Government programme sets out the framework to achieve these aims. Employment opportunities will be increased through labour market activation, skills training and education measures. The Government is committed to ensuring that the social protection system remains an important stabiliser for people against the impact of the economic and fiscal downturn. Research across Europe shows that Ireland's system of social protection is one of the best at protecting against poverty. Measures to identify poverty traps and to support people in moving from welfare to work and to counter welfare fraud are key commitments in the Government's plan.

As Minister with responsibility for children and youth affairs, child poverty is a priority concern for me. Poverty affects people differently across their life cycle and children in certain circumstances are particularly vulnerable. The Government's decision that the Family Support Agency will come under my remit will provide new opportunities to improve services for children and families and to secure improved outcomes for the most vulnerable children. This will be an important consideration in the context of the plans for the new children and families support services agency.

**Deputy Michael P. Kitt:** Gabhaim comhghairdeas leis an Aire. The Minister talks about the targets in the national action plan for social inclusion for 2012 to 2016, but is she aware of the serious debt in Irish households as shown by a recent study commissioned by the Department into the issue of social exclusion and serious debt? What poverty prevention measures can be taken by the Department to reduce this over-indebtedness?

**Deputy Frances Fitzgerald:** This is an extremely serious issue that brings huge pressure on many families. Many families face serious debt. The best way of protecting these families and

the best way out of poverty is to create employment. Employment is the great protector. I point the Deputy towards the priority the programme for Government gives to providing access to employment, training and upskilling. Providing child care services will form part of this. Certainly the jobs initiative which the Taoiseach yesterday and the Tánaiste today said would be introduced in the House in May will be a key factor in tackling the issue of poverty and helping families facing debt. We also need initiatives from other agencies, including the banks and local support services. Earlier I replied to a question on the availability of community supports. The Government's commitment to building such supports and services will be very important in terms of the work it can do with families experiencing particular problems with debt.

**An Ceann Comhairle:** I remind Deputies that we have one minute remaining for supplementary questions and that we have one minute and 15 seconds left for this question.

**Deputy Pearse Doherty:** Déanaim comhghairdeas leis an Aire. I am glad to see someone coming here from the Seanad and going straight into the Cabinet. Obviously, some people who are working are also living in poverty. We all share the views of the Government that we should stop people living in poverty through the creation of meaningful and well paid full-time jobs. However, there is another element in that cuts also hurt. How many currently categorised as living in poverty have been brought into the tax net as a result of the introduction of the universal social charge, a charge of which the Government voted in favour in the House just over 14 days ago?

**Deputy Mick Wallace:** I agree that tackling poverty is a major issue and a difficult one to address. I ask the Minister to appeal to the Minister for Education and Skills to reconsider reversing the cuts in the numbers of resource and learning support teachers which will impact greatly on the less well-off in our society.

**Deputy Simon Harris:** The Minister rightly said getting people back to work was the best way to tackle poverty. Will she discuss with her Government colleagues the problems being experienced by my constituents and many others in coming off the dole to engage in short periods of work and who then experience inordinate delays in receiving social welfare payments when they have to go back on the dole? This is a major problem.

**Deputy Frances Fitzgerald:** I do not have the detailed figures Deputy Pearse Doherty requested. I will see if they are available and ensure he gains access to them. One of the priorities set in the programme for Government is to examine the interaction between the social welfare and taxation codes and make recommendations to ensure work is worthwhile. In particular, the commission will examine family and child income supports and means by which the self-employed can be insured against unemployment and sickness. I am sure many Deputies will have come across cases where this is a major issue and it is one that needs to be addressed. The Government intends to examine it through the commission on taxation and social welfare which will be set up.

Deputy Mick Wallace asked about resource teachers and SNAs, another critical issue. While there has been a significant increase in the numbers of resource teachers and SNAs, it is very much linked with the question of supports for families where children need assessment for various therapies. We need to examine a child's needs in terms of what is available in schools and also in terms of what therapies are available in the health service. Many parents in desperation ask for resource teachers or SNAs when some of the therapies that should be available to them are not available. There is an interaction between these two issues.

### National Substance Misuse Strategy

8. **Deputy Billy Kelleher** asked the Minister for Community, Equality and Gaeltacht Affairs if she is committed to the development of a National Substance Misuse Strategy; if she has received the report of the Steering Group and when she will publish the report. [7990/11]

**Deputy Frances Fitzgerald:** As the Deputy will be aware, the Government has agreed, with effect from 1 May, to transfer the functions of the Minister for Community, Equality and Gaeltacht Affairs for the national drugs strategy to the Minister for Health and Children. As Deputies will be aware, the functions that were performed in the Department of Community, Equality and Gaeltacht Affairs are in the process of being moved, with a number having been transferred already. For example, the equality section has already moved to the Department of Justice and Equality and a number of the others will move within the next three weeks. The new Department will then be in a position to be formed and the functions formally given legally. Responsibility for the drugs strategy will move to the Department of Health and Children.

The Government is committed to supporting the principles and objectives of a national strategy to deal with issues relating to the misuse of both drugs and alcohol. This is made fully clear in the programme for Government, Government for National Recovery 2011-2016. A steering group, jointly chaired by my Department and the Department of Health and Children, has been working to develop proposals and make recommendations to Ministers on the alcohol aspects of a national substance misuse strategy. The drugs element of the strategy — the national drugs strategy 2009-2016 — is already in place.

The work of the steering group is well advanced and I expect that the report will be finalised and recommendations submitted to the Minister for Health and Children in the coming months. Decisions on the publication of the report will be made at that stage.

**Deputy Michael P. Kitt:** Will the Minister make a strong case to have the report published? I understand it will be given to the Minister for Health and Children, but there should be a commitment to its publication. Does the Minister have any views on alcohol company sponsorship in the context of a national substance misuse strategy? The issue is very relevant.

**Deputy Frances Fitzgerald:** I take the Deputy's point on the publication of the strategy. There has been a delay in placing emphasis on a national misuse strategy. Further meetings of the steering group are to be scheduled and the recommendations will be finalised as quickly as possible. The report will then be given to the Minister for Health and Children and proposals are likely to be put to the Government shortly thereafter. That addresses the Deputy's question on urgency. This is an important report which should be brought before the Government as soon as possible. The issues that remain to be finalised by the steering group relate to supply reduction and include the ones the Deputy raised such as marketing, sponsorship, mixed trading and pricing. I look forward to receiving the group's recommendations. We know there are serious issues regarding glamourising access to alcohol and drugs by young people. Sponsorship is part and parcel of this and needs to be examined. The steering group is examining the issue seriously. We will examine the report when it is finalised and make a decision.

**Deputy Michael P. Kitt:** Does the report make any recommendations on the issue of sponsorship by drinks companies?

**Deputy Frances Fitzgerald:** Sponsorship is one of the issues the steering group is examining. I do not have the report's final conclusions, but it is an expert group and we will have its report

shortly, at which point we will be in a position to discuss the issue of sponsorship as raised by the Deputy.

**Deputy Éamon Ó Cuív:** I noted what the Minister had to say about responsibility for the national drugs strategy transferring to the Department for Health and Children, which seems to infer the drugs problem is primarily a medical problem. It surely is a medical problem, but as we all know, much of it relates to the structures of communities. The reason it was placed in the Department of Community, Equality and Gaeltacht Affairs was to tackle the wider community issues which in many cases gave rise to concentrated drug problems, particularly involving the use of heroin. Will the wide range of community programmes built up over the years which dealt with the wider issues of planning, intergenerational disadvantage and social deprivation in certain areas be continued under the Department of Health and Children or will the Department take the view that this is purely an individual health problem rather than a societal and community problem, which is the case with a large part of the drugs problem here?

I join in congratulating the Minister. It is good to see four graduates of the Seanad in the Dáil Chamber at the one time. Would we be in the Dáil if there had been no Seanad? The Minister might answer that question too.

**Deputy Dessie Ellis:** I have not had a chance previously to wish the Minister well in her job. She referred to the National Substance Misuse Strategy 2009-16 on which the steering group is working. Much work has been done across communities with drugs task forces. I have been a member of the Finglas-Cabra Local Drug Task Force and the Ballymun Local Drug Task Force for 11 years. They have made a significant input, as have communities in terms of providing information on the ground. I am pleased the strategy will move ahead. There have been significant cutbacks to drugs taskforces. In the past three years there have been cutbacks of 8% to 10% each year. That is having a major impact on communities. I urge the Minister to ensure there will be no further cutbacks. Working class areas cannot take any more cutbacks because it is having a knock-on effect in terms of crime and other issues. I hope the Minister will take on board what I say.

**Deputy Frances Fitzgerald:** I accept the points made by both Deputies on the community aspects of dealing with drug addiction, which is critical. It is not the intention of the Department of Health and Children to undermine the wonderful work being done by people at local level. It will not take a medical model approach only to the treatment of drug addiction or to tackling the scourge of drug addiction in local communities. It would be a retrograde step if that were to happen. A more comprehensive approach will be taken to tackling the drugs issue by the Department of Health and Children which will build on the work already being done in communities to which Deputy Ellis referred and from which we have learned valuable lessons. Members will agree that it is time for a review. Some of the programmes have been in place for some time and we need to review the structures. In line with the reform agenda, it is important that we review how programmes are developed, seek efficiencies and value for money.

### Community Development

9. **Deputy Seán Ó Fearghail** asked the Minister for Community; Equality and Gaeltacht Affairs if she will confirm that the Leader programme will continue and that local development companies will continue to play a key role in the development of the Leader programme. [7984/11]

15. **Deputy Seán Ó Fearghail** asked the Minister for Community; Equality and Gaeltacht Affairs the total envisaged expenditure on the Leader programme in 2011; and if all groups to receive funding have been identified and notified. [7985/11]

21. **Deputy Denis Naughten** asked the Minister for Community, Equality and Gaeltacht Affairs the steps he will take to address problems with Leader funds being allocated to food business; and if she will make a statement on the matter. [7844/11]

**Deputy Frances Fitzgerald:** I propose to take Questions Nos. 9, 15 and 21 together.

Axes 3 and 4, Leader, of the Rural Development Programme 2007-13 envisage funding of €427 million being made available for allocation to qualified projects up to the end of 2013, with expenditure under the programme potentially continuing for a further two years up to the end of 2015. In the current programming round, 36 local action groups are contracted, on my Department's behalf, to deliver the programme throughout the country and, as Deputies are aware, those groups are the principal decision-makers on the allocation of project funding. Such decisions are made in the context of the local development strategy of the individual groups and in line with departmental operating rules and EU regulations. The overall nature of the bottom-up approach here ensures that such groups are an integral part of the framework for the implementation of Leader-type activities under the programme. At this time there are no plans to change the implementation framework in the current programming round.

As Deputies are aware, the main objectives of the programme are to improve the quality of life in rural areas and facilitate diversification of the rural economy. The individual measures and indicative allocations are as follows. The amount provided for diversification into non-agricultural activities for farm families is €16.66 million. A total of €48.26 million has been allocated as support for business creation and development. A fund of €45.4 million has been allocated to encourage tourism activities. Basic services for the economy and rural population is to get €49.61 million. Village renewal and development has been allocated €54.2 million. The conservation and upgrading of the rural heritage has an allocation of €51.7 million. Training and information on adapted and new skills has received €29.45 million. A total of €10.7 million has been allocated to the implementation of co-operation projects.

The programme currently has registered project activity of approximately €102 million, which includes €31 million in firm contractual commitments. A significant portion of these are expected to mature during 2011. Expenditure to date amounts to more than €67 million, which includes funding for a diverse range of projects from support for micro-enterprise in rural areas to the building and maintenance of community infrastructure and the provision of training in a variety of disciplines for rural dwellers. The programme has been allocated €62 million in total for 2011 and, notwithstanding current challenging economic circumstances, project activity is accelerating. I am confident that full spend will be achieved in 2011.

I am pleased with the progress to date under the programme, which continues to facilitate access to significant financial resources for rural communities. This has resulted in the proliferation of innovative and sustainable development projects all over the country, which are providing invaluable support to rural communities in these difficult times.

On the continued provision of funding to the food business, the European Commission recently clarified that projects that involve processing of agrifood products listed on Annex 1 to the Treaty of Rome may only be eligible for support under Axis 1 of the rural development programme, which facilitates funding to improve the competitiveness of the agricultural sector. A significant part of enterprise activity in rural areas focuses on food and food-related businesses and the continued provision of support for these businesses is critical as we look to ways to generate employment in rural areas. My Department is aware of the seriousness of the issue and is proactively working with the European Commission and the Department of Agriculture, Fisheries and Food with a view to ensuring that the matter is resolved in the shortest possible timeframe, thereby allowing for continued support and development of the agrifood sector through the rural development programme.

**Deputy Éamon Ó Cuív:** I thank the Minister for her comprehensive reply. Would it be possible to get a breakdown of the spend in each company in the Leader programme between administration and activities such as grants sanctioned to third parties and the actual spend to date? Perhaps the Minister could organise for it to be sent to us. I am concerned that we have still approved only €102 million out of €425 million. No doubt the Minister will expedite that issue.

Is it intended to transfer ministerial responsibility for the Leader partnership companies, including the Leader programme to the Department of the Environment, Heritage and Local Government? Does that presage that from 2014 on the Leader programme will be the responsibility of local authorities rather than the current independent companies? Will the Minister clarify the issue? Is that the two-step plan involved? Many people would consider that to be the wrong direction to take.

On the food issue, given that consultation with the European Union could go on for a long time and that it could be reluctant to change an existing ruling, surely the easy answer to the question is to get the Department of Agriculture, Fisheries and Food to put money aside now under Axis 1 for food companies? Has the Minister discussed the matter with her colleague, the Minister for Agriculture, Fisheries and Food, Deputy Coveney, and has he given an affirmative answer that food will be funded under Axis 1 immediately? That would get around the possibility of protracted negotiations with the European Union that might go on for ever and reach a negative conclusion at the end of the process. People who can create jobs are waiting for the money now not in the future.

**Deputy Frances Fitzgerald:** I realise the seriousness of the issue and its importance, as well as the importance of the enterprises and the fact that funding would be available. It is an urgent issue that requires action. I have discussed the matter with the Minister for the Environment, Heritage and Local Government who will deal with it shortly. It is not envisaged at this stage that the funding to the Department of Agriculture, Fisheries and Food will change as the Deputy describes. We would endeavour to resolve the issue with the Commission before that step would be taken. I realise, however, that the issue is urgent and we certainly do not want to delay the vital work of various food enterprises throughout the country.

I do not have a breakdown available today on funding. I will determine whether it is available. The Deputy's heart is very close to these projects and he may well have the answer already.

**Deputy Éamon Ó Cuív:** I used to give the other side of the House all the answers.

**Deputy Frances Fitzgerald:** I will certainly check whether the breakdown is available.

**Deputy Éamon Ó Cuív:** It is available because I used to give it.

**Deputy Frances Fitzgerald:** All right. The Deputy knows the answer. I will get the information and find out the up-to-date position. The point the Deputy makes on the breakdown of costs between administration and the actual projects is important.

With regard to the transfer of functions, it is intended that the functions would be transferred to the Department of the Environment, Heritage and Local Government. A further transfer, as described by the Deputy, is not envisaged.

**An Ceann Comhairle:** If Deputies have mobile phones, they should switch them off totally. I received a note from the RTE broadcasting unit stating this morning's proceedings on the Order of Business were totally wiped out because of interference from mobile phones, particularly text messages coming through. Members should kindly switch off their phones entirely when they enter the Chamber. I will be writing to each Deputy in this regard.



**Deputy Denis Naughten:** I hope that comment was not directed at me in particular.

**An Ceann Comhairle:** No.

**Deputy Denis Naughten:** When the Minister's officials are writing to Deputy Ó Cuív, might they also sent a copy of the figures to me?

On Question No. 21, one of the core objectives of Food Harvest 2020 and the new Government is to develop the food industry. There is great potential for growth among small indigenous food companies. Not only have they the potential to create jobs, they also have the potential to support economic stability in rural areas. This comes under Axis 3. Is it not the case that there is plenty of funding available under Axis 3 and that, if we can avail of those funds to support indigenous food companies, we should do so? Does the Minister not agree that we need to prioritise food production businesses, obtain clarification quickly from the Commission in this regard, access funding under Axis 3 or Axis 1 and have it released to small businesses as soon as possible?

At present, there are very good, novel food ideas that people want to get off the ground. Those responsible have put their proposals to Leader, which is prepared to get the businesses off the ground. However, because of the bureaucracy that exists, Leader cannot approve the funding. It is crucial that a business that wants to create jobs be supported and encouraged and not tied up with bureaucracy.

**Deputy Éamon Ó Cuív:** Hear, hear.

**Deputy Frances Fitzgerald:** I thank Deputy Naughten, who has taken a particular interest in this issue and food enterprises. I agree with him. I saw a quotation recently stating if one asks any of the Leader partnership companies to name their flagship projects, many of them will identify food projects as among their big successes. This is an important issue and it is very unfortunate that it has become tied up in a bureaucratic wrangle with serious consequences for the businesses in question. This needs to be addressed immediately so the initiative and job creation potential of the companies will not be interrupted or stopped. I reassure the House that this issue is a priority. I have spoken to the Minister for the Environment, Heritage and Local Government in respect thereof. The Department is pursuing discussions with the Commission in regard to it and I hope there will be an outcome in the short term.

**Deputy Pearse Doherty:** Táimid ag rith amach as am so cuirfidh mé an cheist seo go sciobtha. Baineann sé leis an Ghaeltacht, leis an chlár Leader. agus le ceann de na heagraíochtaí atá ag plé leis sin, Meitheal Forbartha na Gaeltachta. An bhfuil sé ar intinn ag an Aire, mar go bhfuil aighneas ag dul ar aghaidh i Meitheal Forbartha na Gaeltachta, fiosrúchán a dhéanamh faoin eagraíocht agus faoin mhéid a thit amach le cúpla mí anuas ó thaobh an aighnis sin.

**Deputy Frances Fitzgerald:** Which organisation did the Deputy mention?

**Deputy Pearse Doherty:** My question pertains to the Leader programme and Meitheal Forbartha na Gaeltachta. There have been ongoing difficulties with Meitheal Forbartha na Gaeltachta, particularly in regard to the ongoing strike. Does the Minister intend to carry out an investigation into what occurred in that company?

**Deputy Éamon Ó Cuív:** I set up an inquiry into the company and tabled a parliamentary question recently asking whether it was concluded. The answer stated it was ongoing. Is it possible to find out when it is intended to bring the inquiry to a conclusion?

**An Ceann Comhairle:** It is a separate question.

**Deputy Éamon Ó Cuív:** It is the same question. The matter is very urgent.

**Deputy Pearse Doherty:** It concerns the Leader programme.

**An Ceann Comhairle:** It is for the Minister to answer.

**Deputy Éamon Ó Cuív:** It is the same question.

**Deputy Frances Fitzgerald:** I do not have details on that investigation but when I have I will certainly convey them to the Deputies.

**Deputy Denis Naughten:** Will the Minister indicate the timescale for progressing the food issue? She may not have it to hand. Will it be weeks or a couple of months before there is clarification? The issue is important and jobs are at stake. It will have a huge impact in rural communities.

**Deputy Éamon Ó Cuív:** I support the Deputy, who is dead right. We need a deadline. There is more than bipartisan support in regard to this matter. We need a deadline as to when, if it is not possible to change the Union's mind, we can proceed under Axis 1. We will not hear any dispute among rural Deputies in the House if that is the approach taken. The Minister will have our support. The matter requires urgent attention.

**Deputy Frances Fitzgerald:** It is good to see agreement on the importance of this issue. This is not surprising. We are in discussions with the Commission at present and it is taking a particular line. We must examine this and determine whether an agreement can be reached as soon as possible. I agree with the Deputy that there should be no delay because the consequences of a delay would be too serious. If agreement cannot be reached, perhaps other avenues ought to be investigated, as the Deputies are suggesting. In the first instance, we want to have agreement through the mechanism we are currently pursuing. That is the focus of the discussions at present.

### **Straitéis 20 Bliain don Ghaeilge**

10. **Deputy Peadar Tóibín** den an Aire Gnóthaí Pobail; Comhionannais agus Gaeltachta an bhfuil sé mar aidhm aici an Straitéis Fiche Bliain a chur i bhfeidhm. [7958/11]

20. **Deputy Pearse Doherty** den an Aire Gnóthaí Pobail; Comhionannais agus Gaeltachta conas a chuirfidh sí Straitéis Fiche Bliain i bhfeidhm sna sé mhí atá le teacht. [7961/11]

27. **Deputy Pearse Doherty** den an Aire Gnóthaí Pobail; Comhionannais agus Gaeltachta an bhfuil sí chun struchtúir a chruthú chun an Straitéis 20 bliain a chur i bhfeidhm. [7960/11]

**Deputy Dinny McGinley:** Tógfaidh mé Ceisteanna Uimh. 10, 20 agus 27 le chéile.

Mar atá ráite sa chlár Rialtais, tabharfaidh an Rialtas tacaíocht don Straitéis 20 Bliain don Ghaeilge 2010–2030 agus déanfar na cuspóirí indéanta atá molta ann a sheachadadh. Tá an Coiste Rialtais faoin nGaeilge agus faoin nGaeltacht athbhunaithe ag an Rialtas faoi chathaoirleacht an Taoisigh. Bhí an chéad chruinniú den choiste Rialtais ann ar maidin. Is féidir liom a dheimhniú go mbeidh an coiste seo an-ghníomhach ag féachaint chuige go gcuirfear an straitéis i bhfeidhm ar bhealach córasach, comhtháite i gcomhréir leis an ngealltanas atá tugtha sa chlár Rialtais.

Maidir leis na struchtúir chun an straitéis a chur i bhfeidhm, tá an Taoiseach mar chathaoirleach ar an gcoiste Rialtais agus tá Airí ábhartha eile páirteach ann. Déanfaidh an coiste Rialtais maoirseacht ar an dul chun cinn agus beidh grúpa oifigeach sinsearach ó na Ranna cuí ag tabhairt tacaíochta don choiste Rialtais. Chomh maith leis sin, tá aonad straitéise bunaithe i mo Roinnse ó thús na bliana seo, mar atá molta sa straitéis. Tá an t-aonad straitéise freagrach as maoirseacht a dhéanamh ar an bpróiseas pleanála straitéise agus ar phleananna oibríochta

[Deputy Dinny McGinley.]

ó na comhlachtaí forfheidhmithe, chomh maith le cinntiú go ndéantar feidhmiú trasrannach ar thionscnaimh agus monatóireacht ar fhorbairt acmhainní. Go bunúsach, tá an t-aonad straitéise ag tabhairt aghaidh go córasach ar na céimeanna is gá a thógáil le cinntiú go gcuirtear an straitéis i bhfeidhm.

Aithnítear sa straitéis go mbeidh gá le cur chuige céimneach chun bearta éagsúla na straitéise a chur i gcrích thar thréimhse 20 bliain. Faoi láthair, táimid i gcéim an bhunaithe den straitéis. Le linn na tréimhse seo, díreofar ar na struchtúir eagraíochtúla agus oibríochtúla a bhunú chun an straitéis a chur i gcrích. Díreofar go speisialta ar na céimeanna is gá a thógáil chun reachtaíocht a ullmhú maidir le bunú Údarás na Gaeilge agus na Gaeltachta, chomh maith le sainmhíniú nua a chruthú do na limistéir Gaeltachta.

**Deputy Pearse Doherty:** B'fhéidir gur chuala mé mícheart, ach shíl mé gur glacadh ceist uimhir a deich le ceist a chuaigh roimhe. B'fhéidir gur chuala mé contráilte.

Ó thaobh na straitéise, ceann des na himní a bhí orm ná gur straitéis 20 bliain atá innti ach nach mbeidh an reachtaíocht i bhfeidhm go dtí 2012. Mar sin, beidh dhá bhliain caillte faoi sin. Tá €1.5 milliún curtha ar leataobh fá choinne cur i bhfeidhm na straitéise i mbliana. Sin an méid eolais a thug an t-iar-Aire, an Teachta Pat Carey, don Dáil. Leoga, sílim gurb é an Teachta McGinley a bhí ag cur na ceiste air. Cá háit a bhéas an €1.5 milliún á chaitheamh i mbliana, ó thaobh cur i bhfeidhm na straitéise de?

An bhfuil sé ar intinn na ceantracha Gaeltachta a bhriseadh suas i dtrí chatagóir, A, B agus C, mar a moladh sa staidéar teangeolaíochta ar úsáid na Gaeilge sa Ghaeltacht? An mbeidh sin mar pháirt den mBille a bheimís ag plé ag tús 2012?

**Deputy Dinny McGinley:** Sin gnéith den phlean atáthar á phlé i láthair na huair maidir le teorannacha na Gaeltacht féin. Tá tagairt speisialta ins an suirbhé teangeolaíochta do sin chomh maith. Tá dréacht-phlean ullmaithe i láthair na huair ag an aonad straitéise. Ag an bpointe seo, tá sé iontach deacair dul isteach ins na pointí uilig atá ins an dréacht-phlean mar ní gnáth dréacht-phlean a chur i láthair na Dála go dtí go mbíonn plan ceart againn agus an reachtaíocht bunaithe ar an bplan sin á chur i bhfeidhm. Tá sé sin molta ins an straitéis agus táimid á phlé sin agus ag díriú isteach air. Fiú amháin, plédh é air na mallaibh.

Maidir leis na hacmhainní féin, tá soláthar de €1.5 milliún san áireamh i mbuiséad mo Roinne-se chun an straitéis a chur i bhfeidhm i mbliana. Nuair a tógtar san áireamh an soláthar iomlán, beidh €36 milliún á chaitheamh ar an nGaeilge agus ar an nGaeltacht ins an Roinn i mbliana. Creidim go mbeidh an soláthar i leith sin dóthaineach don chéad bhliain, os rud é go mbeidh an fócas i dtús báire ar phleanáil, ar dhréacht-reachtaíocht, ar ath-oibriú struchtúir agus ar bhunú chomh-pháirtíochta éagsúla a bheidh riachtanach do chur i bhfeidhm na straitéise.

Tá aonad straitéise bunaithe sa Roinn chun tabhairt faoin obair seo go céimneach agus go córasach. Ní mór a mheabharrú gur tréimhse 20 bliain atá i gceist don chur i bhfeidhm. Tá sé rí-thábhachtach an reachtaíocht agus an struchtúr a fháil i gceart i dtosach báire. Tá an ceart ag an Teachta gur €1.5 millún an méid atá curtha ar fáil i mbliana. Sin an rud a fágadh le huacht againn ón Rialtas a d'imigh. Caithfidimid cloí leis sin chomh fada agus is féidir agus oibriú taobh istigh des na teorannacha.

Don chéad bhliain, táimid ag cur na struchtúir in áit. Tá an dréacht-phlean ansin agus tá an reachtaíocht ag teacht. Is cinnte go mbeidh cur i bhfeidhm na straitéise go héifeachtach leis na hacmhainní is féidir a chur ar fáil.

**Deputy Éamon Ó Cuív:** Cé hiad na hAirí atá ar an bhfo-choiste Rialtais atá ag plé na straitéise agus cé acu a bhí i láthair ag an ggruinniú ar maidin?

**Deputy Pearse Doherty:** B'fhéidir nach bhfuil an t-eolas seo ag an Aire Stáit ag an bpointe seo, ach an féidir leis an briseadh síos den €1.5 milliún atá ar fáil le haghaidh cur i bhfeidh na straitéise a chur chugainn? Cén áit a caifeas an t-airgead sin idir seo agus deireadh na bliana?

**Deputy Dinny McGinley:** Tá mé cinnte gur féidir an t-eolas sin a chur ar fáil nuair a bhéas an cinneadh déanta. B'fhéidir nach bhfuil sé déanta ag an pointe seo.

Maidir le cruinniú an fho-choiste, bhí an Taoiseach é féin ansin mar chathaoirleach. Bhí an t-Aire Howlin, an t-Aire Deenihan agus mé féin ann. Bhí ionadaí ón Aire Cumarsáide, Fuinnimh agus Acmhainní Nadúrtha ann.

**Deputy Éamon Ó Cuív:** An raibh an t-Aire féin ann? Níl aon spéis agam ach ins na hAirí a bhí ann.

**Deputy Dinny McGinley:** Sin iad na hAirí a bhí ann. Tá sé socair go mbeidh cruinniú gan mhoill idir muid féin agus na hAirí nach raibh ansin.

**Deputy Pearse Doherty:** Cé tá ar an choiste?

**Deputy Éamon Ó Cuív:** Cé hiad na hAirí atá ar an gcoiste?

*Written Answers follow Adjournment Debate.*

### Adjournment Debate Matters

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Joe Costello — the need to protect and preserve the national monument at 14 — 17 Moore Street, Dublin, and its curtilage in the context of the 1916 centenary commemoration; (2) Deputy Éamon Ó Cuív — an tábhacht atá ann go ndéanfaidh an tAire soiléiriú maidir le cur i bhfeidhm na Stráiteise 20 bliain don Ghaeilge; (3) Deputy Thomas P. Broughan — that the Minister for Agriculture, Fisheries and Food urgently reports to the House on the need to review the proposed closure of the Teagasc research centre in Kinsealy, Malahide Road, Dublin 17 in view of the critical role that the Kinsealy research centre plays in the horticulture and agri-food sector in Fingal and north County Dublin and the serious issues that have been raised in relation to the high costs of closing the facility, and if he will make a statement on the matter; (4) Deputies Tom Fleming and Arthur Spring — the status of the consultation process between the Aetna Company, Castleisland, County Kerry and the employees; and (5) Deputy Pat Deering — the reason Presentation De La Salle school, Bagenalstown, County Carlow did not receive grant aid under the summer works scheme.

The matters raised by Deputies Pat Deering, Tom Fleming and Arthur Spring, Joe Costello and Éamon Ó Cuív have been selected for discussion.

### Adjournment Debate

#### Schools Refurbishment

**Deputy Pat Deering:** Presentation De La Salle school in Bagenalstown was unsuccessful in its recent application under the summer works scheme, and is very unhappy about this decision as it has never received grant aid through a scheme. The funds for any work done have been raised through the generosity and goodwill of local people. Originally, the school submitted an application to the Department for the complete refurbishment of its home economics area through funding for emergency works and was advised to submit an application to the summer works scheme during the year.

[Deputy Pat Deering.]

Over the past while, the school has completed many roof repairs and these were completed through the generosity of local people. Over the years, the home economics room has been completely damaged by water leaks and the school felt the most sensible way to handle it was to organise the repairs itself because of the health and safety issues raised for the staff and pupils. It began by repairing the roof and then decided to make repairs to the electrical works and in mechanical areas also. All of the furnishings, floor coverings and utensils in the area date from prior to 1984 and are no longer fit for purpose.

The summer work scheme application described how the room does not meet modern day health and safety and hygiene standards. For example, with regard to food preparation there are no separate storage facilities for food. There are also serious deficiencies in the areas of mechanical and electrical installation. These two areas are used for prioritisation of schools in the summer works scheme but it seems the school did not meet the criteria. In its recent application, the school produced very clear photographic evidence of the work that needs to be completed.

This school has developed brilliantly in recent years and has seen a 100% increase in first year enrolment over the past three years. If this trend continues, the school will not be able to cater for the home economics curriculum. I encourage the Minister to re-examine the situation. If the school cannot avail of the summer works scheme is it possible for it to re-apply for funding for emergency works?

**Minister of State at the Department of Enterprise, Trade and Innovation (Deputy John Perry):** I congratulate Deputy Deering on his election. I am replying on behalf of my colleague, the Minister for Education and Skills, Deputy Ruairí Quinn.

I thank the Deputy for raising the matter as it provides me with an opportunity to outline to the House the level of investment by the Department over the past number of years in the scheme and to outline the position on the application from the Presentation De La Salle school in Bagenalstown, County Carlow for funding under the 2011 summer works scheme.

The summer works scheme was introduced in 2004. The purpose of the scheme is to devolve funding to individual school authorities to undertake small-scale building works which, ideally, can be carried out during the summer months or at other times that avoid disrupting the operation of the school. Under the terms of the scheme, school authorities are empowered to manage these works with guidance from, and minimal interaction with, the Department.

Ten categories of works are eligible for funding under the scheme. These include gas, electrical, mechanical, projects to facilitate inclusion and access for special needs pupils, toilet facilities, roof works, window projects, curricular requirement projects, structural improvements and external environment projects. Since its introduction in 2004, over €550 million has been grant aided to schools under the summer works scheme. This has allowed the completion of over 4,000 projects in primary and post-primary schools.

Within the overall capital spend, the Minister is anxious to stress the importance of ensuring value for money and that allocations are made on the basis of overall needs, particularly having regard to the demographic demands that are in place. In this regard, a greater proportion of the schools capital budget will be spent on major capital works. In the context of meeting the demand for major capital projects, it was not possible to advance with a very large summer works programme this year. Due to the scale of demand in respect of the available funding, it was not possible to grant aid all applications. It has been necessary, therefore, to prioritise some categories of works, including gas, mechanical and electrical works, over others for funding.

In the case of the application from the Presentation De La Salle, it was unfortunately not possible to include the school for funding in the list of 453 successful schools that were announced on 30 March 2011. It will be open to the school authority to apply for funding for

such works under future summer works schemes. In the meantime, for works that are of a very urgent nature, it is open to the school authority to consider if the works in question or part thereof qualify for funding under the 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 the Department's website.

Since 2004, under the summer works scheme, the school has received in excess of €737,760 to carry out various improvements including fencing, external structural improvements, electrical upgrade and roof repairs. I again thank the Deputy for giving me the opportunity to outline the current position regarding the application for funding under the summer works scheme for the Presentation De La Salle school in Carlow.

### **Job Losses**

**Deputy Tom Fleming:** I thank the Ceann Comhairle for giving Deputy Arthur Spring and I the opportunity to bring this matter before the House. I welcome the Minister of State at the Department of Enterprise, Trade and Innovation, Deputy John Perry.

This matter relates to the future of the 116 employees of the Aetna company in Castleisland who have been involved in consultation talks with the company for the past month concerning salvaging jobs in the company and proper remuneration of employees who might be affected by job losses. Aetna Incorporated is a US Fortune 100 company with headquarters at Hartford, Connecticut. The net profit of the company in 2010 was \$1.8 million and its net profit in 2009 was \$1.4 million. It has a worldwide workforce of 34,000.

The company has been operating out of its Castleisland base for the past 23 years. It is a highly successful operation with a highly skilled and dedicated workforce. During the consultation process the company held eight meetings with the employees' representatives over a 30 day period. After those meetings the company has made a paltry offer of redundancy payments amounting to two weeks pay per year and a lump sum of six weeks pay. The employees requested the Labour Relations Commission, LRC, to intervene. The LRC has written to the company inviting it to participate in talks immediately.

At this stage, time is of the essence. I urge the Minister of State, Deputy John Perry, and the Minister, Deputy Richard Bruton, to intervene and get Mr. Kieran Mulvey, the chief executive of the LRC, to appoint a chairperson as quickly as possible to resolve the current impasse. The victims are the employees of this company.

**Deputy Arthur Spring:** I echo the sentiments expressed by Deputy Tom Fleming. To put this matter in context, in 2008 Aetna celebrated the 20th anniversary of its presence in Castleisland. At the time, the president of Aetna Global Benefits, Martha R. Temple, said the Castleisland facility had gained an excellent reputation within Aetna as having a highly skilled and productive workforce and said: "we ... mark our 20th anniversary in Ireland with this expansion and a clear commitment for the future." That was only three years ago and the company's profits last year rose by 25%.

We now have a highly skilled, educated and motivated workforce which has worked in a place where not only was there an ethos of diligence, but there was no drama. The workforce performed in a manner that can only be described as exemplary. It is something that should be emulated in the region, which is now an unemployment blackspot.

A consultation process has taken place. The Deputies from north and south Kerry and west Limerick have met with the company's representatives but it appears that the job losses are a *fait accompli*. If this is the case, the consultation period should not be continued for a further

[Deputy Arthur Spring.]

two weeks as this will only give the company the means of smoothing the transfer, which is a global strategic change for the betterment of its balance sheet and no other purpose. It is at its peril that the company risks losing a skilled workforce and outsourcing its business to China, India and elsewhere, which it is considering.

Three Ministers must be notified of this matter, the Minister for Enterprise, Trade and Innovation, Deputy Richard Bruton, the Tánaiste and Minister for Foreign Affairs, Deputy Eamon Gilmore, and the Minister for Health and Children, Deputy James Reilly. The universal health care system offers the potential for redeploying this workforce within the State. They have experience, education and a proven track record in medical benefits systems. They have provided an exemplary service in the private sector and have an ethos and tacit knowledge that cannot be bought. We must seek to redeploy these people and bring this country to a better position.

The IDA has a role to play and I have brought the matter to its attention. A contingency plan is required. The IDA knows the company has international competitors and if it is willing to forgo the expertise built up over 23 years, the IDA should look at its competitors and companies in Ireland and ask them if there is a potential opportunity with this facility to redeploy these people and give something to north Kerry, west Limerick and west Cork. Ireland is in a black hole of economic depression and this international event is bad news. I ask for its assistance.

**Deputy John Perry:** I thank the Deputies for raising this matter on the Adjournment. Aetna Ireland Incorporated is a subsidiary of US-based Aetna Incorporated, a leading company in the health care benefit sector. Aetna Ireland Inc. provides customer service, claim processing and plan sponsor support services for Aetna Global Benefits, the international insurance products and services division of Aetna Inc.

The company has had a branch at Tralee Road, Castleisland, County Kerry since 1988. Aetna Inc. acquired the company in 1998. In 2008, Aetna Ireland celebrated 20 years of operation in Castleisland and also announced its expansion for an additional 70 positions with the inclusion of a 24-hour support service for members of European based multinational corporations. It currently employs 105 workers in Castleisland, which is one of three claims processing and operations centres for the group, the others being in Tampa and Manila.

As required under section 12 of the Protection of Employment Acts 1977-2007, the company notified the Minister for Enterprise, Trade and Innovation of a collective redundancy situation on 8 March 2011. According to the company, it was proposing a cessation of its customer service, claim processing and plan sponsor support service operations in Castle-  
5 o'clock island, as part of a global initiative to reduce overall operating expenses, while achieving service efficiencies and maintaining a high level of service and support for AGB customers and providers. Aetna indicated that it was proposing to transfer the functions and operations currently performed in Castleisland to vendors located outside of Ireland. According to the company, the review of its international operations is still ongoing and no final decision on the Castleisland operation has been taken.

I assure the Deputies that IDA Ireland is engaged in discussion with the company in efforts to secure its Irish operation.

If the proposed transfer of functions and operations occurs, the company stated that it would no longer require the services of 102 employees in Castleisland. Aetna advised that the collective redundancies, if progressed, would be expected to arise during the period of late June to late October 2011. The company confirmed that it intended to consult employee representatives concerning matters related to the proposed redundancies, including the selection criteria that

would be applied should the redundancies proceed as well as the method for calculating any redundancy payments, other than statutory redundancy.

Section 9 of the Protection of Employment Act 1977, as amended, makes it mandatory on employers proposing a collective redundancy to engage in an information and consultation process with employees' representatives, with a view to reaching an agreement. This process requires the employer to give the representatives a reasonable opportunity to revert with their proposals, having had an opportunity to consider the employer's initial proposals.

I understand the workers have elected an employee representative committee that, with a view to the mitigation, or avoidance, of the proposed redundancies, has responded to the company's proposals. Unfortunately, I understand that the parties have so far been unable to agree on any proposals to mitigate the proposed job losses. As well as being dissatisfied with the information and consultation process and its failure to mitigate the job losses, the employees have expressed dissatisfaction with the redundancy package offered by the company.

I understand that the employee representative committee has formally sought the assistance of the Labour Relations Commission in the dispute. The conciliation service of the commission has invited Aetna Ireland Inc. into talks and I understand that the company is considering the invitation and will revert to the commission as soon as possible.

Ireland's system of industrial relations is, essentially, voluntary in nature and responsibility for the resolution of industrial disputes between employers and workers, whether in redundancy or other collective disputes, rests with the employer, the workers and their representatives. The State provides the industrial relations dispute settlement services to support parties in their efforts to resolve their differences.

Even what often appears to be the most intractable of disputes is capable of resolution where both sides engage constructively and in good faith in this voluntary process. The principle of good faith implies that both sides in a dispute make every effort to reach an agreement and endeavour, through genuine and constructive negotiations, to resolve their differences.

I urge the parties involved in this dispute to work together to break the current impasse by utilising the established machinery for dispute resolution.

I thank Deputies Fleming and Spring for raising this important issue. The Minister will work closely with IDA Ireland to ensure something can be done positively to ensure their concerns are dealt with decisively.

### **National Monuments**

**Deputy Joe Costello:** This is a particularly important issue as the centenary of the 1916 Rising looms nearer every day.

Moore Street is an area that was very much part and parcel of the 1916 rebellion. As a result, a campaign, of which I was a participant, began several years ago to save No. 16 Moore Street, which was the last headquarters of the leaders before the final surrender. The previous Government agreed to designate Nos. 14 to 17 Moore Street as a national monument. Therefore, there are two national monuments in the area: the GPO, which is directly associated with 1916; and Nos. 14 to 17 Moore Street, which is the location of the final stage of the battle that took place there.

The National Graves Association has been very much to the forefront in leading the campaign, as has the Save 16 Moore Street campaign, which is headed by Mr. James Connolly Heron, the great-grandson of James Connolly, and relatives of the survivors of the 1916 rebellion and particularly of the signatories of the Proclamation.

Moore Street has become derelict over the years. The integrated area plan, that was established to develop O'Connell Street, Moore Street and the environs, was bedevilled by legal



[Deputy Joe Costello.]

wrangles and as a result, in the years of the Celtic tiger the development that was supposed to take place never really took place. Apart from the enabling works by Dublin City Council in O'Connell Street where they improved it considerably, the work has not proceeded as it should have.

In March of this year, the property developer Mr. Joe O'Reilly, who headed up a consortium for Chartered Lands, secured planning permission for the development of the site. He has six years to carry out the development. However, many of us know that a number of Mr. O'Reilly's business loans with Irish banks are now in NAMA and there is a major question over Mr. O'Reilly's capacity to develop it.

The planning permission includes the demolition of some of the buildings surrounding the national monument and some of the fabric of Nos. 16 and Nos. 14 -17 Moore Street. I agree with the Save 16 Moore Street campaign that the entire terrace of houses should be conserved and that the backlands and the curtilage, which are an integral part of the national monument, should be preserved in that context.

We are only five years from the centenary commemoration and it is important that the Government declares its intention on how it will proceed with that objective of preserving the national monument and promoting it in the context of the centenary commemorations. The Shaffrey report commissioned by Dublin City Council contains many good ideas and recommendations. That remains the basis on which progress can be made, but the National Museum and Office of Public Works, and maybe the Heritage Council and the Government, need to get directly involved at this time to ensure that there is direct supervision over what takes place.

The private sector is unlikely to be in a position to proceed, one way or the other. The private sector planning application contains many flaws and at this time, we need to look at the entire monument. Dublin City Council passed a motion stating that there should be a museum on that site, but we must look at the entire monument with a view to seeing how it can be best conserved and developed in the context of the commemoration of the leaders of 1916.

I have raised the issue here in the past, but there is a new Government and it will be in place until 2016. It behoves the Government to take the initiative at an early stage to decide what will happen to those two national monuments to begin to prepare for the 1916 centenary, and that it be done in the most comprehensive and inclusive fashion to ensure that those monuments will be part and parcel of our heritage for the future and that we can build on that in a most respectful and patriotic way.

**Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Dinny McGinley):** Ar dtús, gabhaim buíochas leis an Teachta Costello as ucht an ábhar tábhachtach seo a thógáil ar an Athló anseo tráthnóna.

The Government fully appreciates the historical significance of these buildings as the site of the last military actions of the leaders of the 1916 Rising following the evacuation of the GPO. No. 16 Moore Street, where the final council of war is believed to have been held, was the final headquarters of the Provisional Government which included five of the Proclamation signatories — Pearse, Connolly, Plunkett, Clarke and McDermott. Their courage and self-sacrifice laid the foundations for the establishment of the Irish State. The Deputy will be aware that plans to mark the centenary of the Easter Rising were discussed during Leaders' Questions on Tuesday. The Taoiseach who has visited the Moore Street monument site outlined his intention to establish before Easter a consultation group on the commemorative programme for the centenary celebrations in five years time. He indicated that membership of the group would extend beyond the Oireachtas to ensure it had a full understanding of the background and environment surrounding these momentous events. As he noted, this is an opportunity for the Oireachtas

to be a party to sensitive and appropriate commemoration of the events of 1916 and consider the preservation and protection of the national monument in a sensitive and responsible way.

As far as 14-17 Moore Street are concerned, in January 2007 the then Minister for the Environment, Heritage and Local Government placed a preservation order on the buildings under the National Monuments Acts. The order was made on the grounds that 16 Moore Street was a monument, the preservation of which was of national importance by reason of its historical significance. The purpose of the order is to ensure the preservation of 16 Moore Street in the context of wider redevelopment proposals centred on the former Carlton Cinema site. To achieve this objective the order also covers 14-17 Moore Street and includes the yards to the rear of 15 and 16 Moore Street, extending to 8 and 9 Moore Lane. The effect of the order is that works affecting these properties, including any excavation or ground disturbance within, around or in proximity to them, require the prior written consent of the Minister for the Environment, Heritage and Local Government under the National Monuments Acts. The Minister is statutorily obliged to consult the director of the National Museum as part of the consent process. It is an offence for anyone to damage, injure, remove or carry out, or cause or permit work affecting the monument without the Minister's written consent.

An Bord Pleanála has made a decision to grant permission, with conditions, for a mixed development on the former Carlton Cinema site which includes the Moore Street monument. That permission in no way supersedes the preservation order in place and the consent of the Minister will still be required in accordance with section 14 of the National Monuments Act 1930 for any works affecting the area covered by the order. While consent has been given by the Minister from time to time for minor works to protect and maintain the fabric of these buildings, to date no application for consent related to the proposed major development has been received. The proposed development of the site, in accordance with the permission granted by An Bord Pleanála, envisages the retention of 14-17 Moore Street and, subject to Ministerial consent under the National Monuments Acts, to 16 Moore Street becoming a commemorative centre. This also accords with the objective of the Dublin City Council development plan to have the building in museum use.

In summary, the protection of 14-17 Moore Street as a national monument is secure and in place. The Deputy can be assured that the appropriateness of any proposed works affecting these buildings will be carefully considered in the light of all relevant factors and recommendations if and when a development related consent application is submitted for approval.

### **Stráiteise 20 bliain don Ghaeilge**

**Deputy Éamon Ó Cuív:** Ba mhaith liom tréaslú leis an Aire Stáit as ucht a cheapadh mar Aire. Tá a fhios agam gur fear díograiseach, fear Gaeltachta agus gaeilgeoir dílis is ea é. Caithfidh mé a rá, áfach, go bhfuil mé thar a bheith buartha faoi threo an Rialtais i leith na Gaeilge. Go deimhin fhéin, tá sé sin léirithe cheana féin. Cé go bhfuil an-chuid oibre déanta san Oireachtas seo ag an Aire Stáit, an Teachta McGinley, don Ghaeilge agus don Ghaeltacht thar na blianta, níor tugadh ach post sóisearach dó. Caithfidh mé a rá gur cheap mé go raibh post sinsearach tuillte aige. Cheap mé go gcloífeadh páirtithe an Rialtais leis an socrú a bhí déanta go mbeadh Aire sinsearach le freagracht laethúil as an Ghaeilge ag bord an Rialtais. Níor tharla sé sin, ar ndóigh. Ba é sin an chéad chéim ar gcúl. Níl aon milleán ar an Aire mar ní raibh sé freagrach as ceapadh na nAirí. Cásaim leis nár tugadh an gradam gur cheart a thabhairt dó.

Tá mé thar a bheith buartha faoi seasamh eile atá ag an Rialtas nua. Mar iar-mhúinteoir scoile, tuigeann an tAire Stáit an méid atá á rá agam. Tá Fine Gael ag rá nár cheart an phríomhtheanga náisiúnta a mhúineadh ag leibhéal na hardteiste do chuile ghasúr i scoileanna na tíre seo. Ní heol dom aon tír eile ar domhain nach múineann a gcéad teanga oifigiúil go chuile ghasúr sa tír sin, go leibhéal na hardteiste agus mar bhunábhar scoile. Ar ndóigh,

[Deputy Éamon Ó Cuív.]

caithfidh mé a rá go gcreidim gur cheart go múiní an mBéarla, mar an dara teanga náisiúnta, go dtí an leibhéal céanna.

An tríú rud a chuireann an-ímní orm ná chuile uair a chuirtear ceist ar an Aire Stáit faoi feidhmeanna fiontraíochta Údarás na Gaeltachta, tugtar freagraí diamhaireacha. Tá a fhios agam nach ar an Aire Stáit atá an milleán. Dá mbeadh sé freagrach as an cinneadh, cinnte fágfadh sé na feidhmeanna leis an údarás. Nuair a bhíomar sa Rialtas, tháinig brú ó buanrialtas an stáitchórais chun na feidhmeanna fiontraíochta a bhogadh, ach chuireamar ina aghaidh. Go deimhin, scríobhamar go sonrach sa straitéis go bhfágfaí na cúraimí atá ag an údarás agus ag Roinn na Gaeltachta mar atá siad agus go gcuirfí leo. Thuigeamar go dtriallfadh an stáitchóras é sin a athrú nuair a bheadh Aire nua ann. Is léir go bhfuil troid idir lámha ag an Aire Stáit, an Teachta McGinley, anois. Gheobhaidh sé tacaíocht an Fhreasúra má chuireann sé troid suas. Caithfear na feidhmeanna sin a choinneáil, ach caithfidh mé a rá go bhfuil mé thar a bheith buartha faoi threo na gaoithe agus an éiginnteacht sna freagraí atá mé ag fáil ón Aire Stáit.

Tá mé buartha freisin faoin méarfhadachas a bhaineann le cur i bhfeidhm na straitéise. Dúirt an Aire Stáit go gcaithfidh chuile rud fanacht ar an reachtaíocht. Tá a fhios agam go dtógann reachtaíocht tamall, ach tuigim go raibh cuid mhaith oibre déanta ar cinn an Bhille roimhe seo. Tá súil agam go bhfoilseofaí cinn an Bhille go luath. Ar ndóigh, níl sa reachtaíocht ach cuid an-bheag de ghníomhú na straitéise. Is féidir dul ar aghaidh le ghníomhú na straitéise go láithreach i go leor gnéithe den saol. Mar is eol don Aire Stáit, tá caibidil sa straitéis a dhéanann plé le cúrsaí Rialtais. Tá roinnt áirithe oibre déanta againn ar sin. Tá caibidlí eile a bhaineann leis na meáin, na heagraíochtaí deonacha, an pobal Gaeltachta, an Garda Síochána, an tArm agus cursaí oideachais. Is féidir go leor gnéithe den straitéis a chur i bhfeidhm gan reachtaíocht. Ní áirím aon flosc chun oibre. Tá an scéal á thabhairt dúinn go bhfoilseofar an reachtaíocht i 2012. I dTithe an Oireachtais, faoin am go mbeidh an reachtaíocht sin tríd, d'fhéadfadh sé mí eile a bheith i gceist. Cuireann sé sin ímní an tsaoil orm.

Ba mhaith liom labhairt faoi ghné eile den mhéid a dúirt an Aire Stáit níos luaithe, agus an méid atá ráite go ginearálta. Cé gur chaitheamar an-chuid ama ag plé leis an straitéis, tá rudaí nach bhfuil sa straitéis gur mian liom go pearsanta go mbeidís ann. Is é a bhí sa straitéis ná an méid a bhíomar sásta a bhféadfadh an Rialtas cur i bhfeidhm. Níl na rudaí gur mhian le gach duine sa straitéis, ach an méid a bhféadfadh an Rialtas cur i bhfeidhm. An fáth a foilsíodh mar dhréacht é — thóg sé breis ama — ná go mbeadh comhaontú agus tacaíocht iomlán don straitéis i measc na páirtithe éagsúla sa Teach seo, agus go gcuirfí i bhfeidhm go hiomlán í. Is cosúil ón méid a dúirt an Aire Stáit inniu agus an méid atá ráite go bhfeiceann sé an straitéis mar chineál biachlár, nó menu as ar féidir rudaí áirithe a phiocadh, seachas rud atá le cur i bhfeidhm go hiomlán. An fáth gur thóg sé an oiread ama an straitéis a thabhairt chun cinn ná go rabhamar ag iarraidh teacht ar straitéis a d'fhéadfaimís cur i bhfeidhm go hiomlán. Ar ndóigh, níl sé sin ar bun.

Tá faitíos orm go bhfuil gnéithe eile den straitéis nach gcuirfear i bhfeidhm. Deirfear nach raibh an rogha ag an Rialtas é sin a dhéanamh. Tuigim gur tugadh tacaíocht don straitéis ag an gcoiste eadránach agus go raibh éileamh ón bhFreasúra ag an am go mbeadh breis rudaí sa straitéis. Ní thiocfainn in aghaidh cuid de na rudaí breise a bhí molta. Ba é an tuairim a bhí againn ag an am ná nach bhféadfaí iad sin a bhaint amach, in ainneoin ár ndícheall, ach go bhféadfaí gach aon rud atá sa straitéis a dhéanamh. Mura ndéanaimid é, ní éireoidh leis an straitéis. Is straitéis chomhtháite atá i gceist. Má thosaítear céim ar chéim rudaí a bhaint amach as an straitéis, agus iad a chur ar leataobh, ní éireoidh leis an straitéis. Tá sé spéisiúil breathnú siar ar an mbliain 1894. Bhí plé faoi chúrsaí airgid go mór sa treis i measc aos óg na linne sin.

Bhí ceist na Gaeilge faoi chaibidil ag an am sin freisin. Go fad téarmach, is mo tionchar a bhí ag an troid faoin nGaeilge ar thodhchaí na tíre agus ar leas agus rath tíre ná mar a bhí ag aighneas airgid a bhfuil dearmad déanta air fadó. Mar sin, d'iarrfainn ar an Aire Stáit a

dhearbhadh go dtabharfar tosaíocht don Ghaeilge anois, nach gcuirfear ar an méar fhada í i ngeall ar bhrú airgid agus go ndéanfar cinnte go gcuirfear an straitéis i bhfeidhm go hiomlán. Má déanfar sin beidh tacaíocht iomlán Pháirtí Fhianna Fáil aige.

**Deputy Dinny McGinley:** Gabhaim buíochas leis an Teachta as a fhoclaíocht chomhgairdeachais. Tá mise abhus anseo agus é féin thall ansin agus is minic a bhí mise ar an taobh eile chomh maith.

Athnaítear sa straitéis 20 bliain don Ghaeilge, a bhfuil tacaíocht traspháirtí aici, go mbeidh gá le cur chuige céimneach chun bearta éagsúla na straitéise a chur i gcrích thar tréimhse 20 bliain, agus is tréimhse 20 bliain atá i gceist.

Is cúis sásaimh dom a chur in iúil go bhfuil an coiste Rialtas faoin Ghaeilge agus faoin Ghaeltacht athbhunaithe ag an Rialtas faoi chathaoirleacht an Taoisigh agus go raibh an chéad chruinniú den choiste Rialtais ann ar maidin. Ag an gcéad chruinniú inniu, rinneadh plé ar na féidearthachtaí maidir le cur i bhfeidhm na straitéise. Tá mo Roinn chun roinnt moltaí maidir leis na féidearthachtaí seo agus na roghanna a bhaineann leo a ullmhú don chéad chruinniú eile den choiste Rialtais.

Sa tréimhse amach romhainn, déanfaidh an coiste Rialtais maoirseóireacht ar an dul chun cinn maidir le cur i bhfeidhm na straitéise agus beidh grúpa oifigeach sinsearach ó na Ranna Rialtais cuí ag tabhairt tacaíochta don choiste Rialtais. Chomh maith leis sin, tá aonad straitéise bunaithe i mo Roinnse ó thús na bliana seo, mar atá molta sa straitéis. Tá an t-aonad straitéise freagrach as maoirseacht a dhéanamh ar an bpróiseas pleanála straitéise agus ar phleananna oibríochta ó na comhlachtaí forfheidhmithe, chomh maith le cinntiú go ndéantar feidhmiú trasrannach ar thionscnaimh agus monatóireacht ar fhorbairt acmhainní. Go bunúsach, tá an t-aonad straitéise ag tabhairt aghaidh go córasach ar na céimeanna is gá a thógáil le cinntiú go gcuirtear an straitéis i bhfeidhm.

Maidir leis na bearta atá idir lámha i mo Roinnse chun an straitéis a chur i gcrích, tá dréachtphlean forfheidhmithe do chur i bhfeidhm na straitéise i mbliana curtha i dtoll a chéile ag an aonad straitéise. Chomh maith leis seo, tá na céimeanna tosaigh a dtógáil ag an aonad straitéise i ndáil le hullmhú na dréacht-reachtaíochta faoin mBille Gaeltachta. Táthar ag súil, ach cead an Rialtais a bheith ar fáil di, go bhfoilseofar an dréacht-reachtaíocht i 2012, de réir phlean reachtaíochta an Rialtais. Tá roinnt grúpaí oibre bunaithe nó ar tí a bheith bunaithe idir oifigigh san aonad straitéise i mo Roinn agus oifigigh i Ranna agus i gcomhlachtaí poiblí eile chun tosaíochtaí na straitéise a chur chun cinn.

Is léir, mar sin, go bhfuil dul chun cinn á dhéanamh agus go bhfuil aghaidh á thabhairt ar na céimeanna is gá a thógáil d'fhonn an straitéis a chur i bhfeidhm laistigh de na hacmhainní teoranta atá ar fáil san aeráid eacnamaíoch reatha.

Mar atá ráite sa chlár Rialtais, tá sé i gceist ag an Rialtas athbhreithniú a dhéanamh ar churaclam na Gaeilge agus ar mhúineadh na Gaeilge ag an mbunleibhéal agus ag an dara leibhéal. Tá se beartaithe faoin gclár Rialtas go ndéanfar athbhreithniú ar an gcuraclam chun níos mó béime a chur ar scileanna labhartha agus cluastuisceana. Tá sé beartaithe freisin faoin gclár Rialtais go dtabharfar 50% de na marcanna don bhéaltrial ag leibhéal na hardteistiméireachta. Chomh maith leis sin, tá sé mar aidhm againn faoin gclár Rialtais líon na ndaltaí atá ag déanamh staidéar ar an nGaeilge don ardleibhéal ag an ardeistiméireacht a mhéadú faoi dho faoin mbliain 2018.

Tá sé molta sa Straitéis 20 Bliain don Ghaeilge 2010-2030 go mbunófaí Údarás Gaeilge agus Gaeltachta, dar teideal Údarás na Gaeilge agus na Gaeltachta, a ghníomhódh ar bhonn náisiúnta agus a chomhlíonfadh feidhmeanna ábhartha a dhéanann Údarás na Gaeltachta agus eagraíochtaí Stáit agus neamhrialtasacha eile i láthair na huaire, de réir mar is cuí. Tá sé ráite sa straitéis freisin go leagfar síos ról sonrath agus feidhmeanna sonracha an údaráis mholta nua i ndrucht-reachtaíocht.

[Deputy Dinny McGinley.]

Mar atá raite faoin gclár Rialtais, tá an Rialtas ag tabhairt tacaíochta don straitéis 20 bliain maidir leis na spriocanna indéanta áta luaite ann a chur i gcrích. Mar áta ráite cheana agam, tá na céimeanna tosaigh á dtógáil i mo Roinn i ndáil le hullmhú na dréacht-reachtaíochta faoin mBille Gaeltachta agus táthar ag súil go bhfoilseofar an dréacht-reachtaíocht i 2012, de réir phlean reachtaíochta an Rialtais.

Tuigim go maith na dúshláin agus na constaicí a gcaithfidh Údarás na Gaeltachta dul i ngleic leo sa timpeallacht achrannach ghnó atá i bhfeidhm faoi láthair. Níl amhras ar bith ach go bhfuil an ghéarchéim eacnamaíoch nairsiúnta agus domhanda ag cruthú deacrachtaí do chomhlachtaí sa Ghaeltacht agus tá impleachtaí dá réir ann do chúrsaí fostaíochta. É sin raite, caithfear nótaíl gurb é an Rialtas deiridh, a raibh an Teachta mar bhall de, a laghdaigh an soláthar airgid caipitil atá á fháil ag Údarás na Gaeltachta ó €27 milliún i 2006 go €18 milliún i 2010, agus a laghdaigh an soláthar céanna arís go tubaisteach go dtí €6 milliún i 2011. Tá an Teachta Ó Cuív ag tabhairt faoin Rialtas nach bhfuil istigh ach cupla seachtain. Níl sé dáiríre. Nach dtabharfadh sé cupla bliain dúinn.

Mar fhocal scoir, is féidir liom a rá go bhfuil an Rialtas tiomanta don Ghaeilge agus don Ghaeltacht. Tá spéis an Taoisigh sna cúrsaí seo thar a bheith soiléir agus an coiste Rialtais faoin nGaeilge agus faoin nGhaeltacht athbhunaithe aige agus gan é istigh ach cupla seachtain.

Beidh mise mar Aire Stáit ag obair go dlúth leis an Aire Deenihan agus leis an gcoiste Rialtais le cinntiú go ndéanfar gach ní gur féidir ar mhaithe leis an nGaeilge agus leis an nGhaeltacht. É sin ráite, caithfidimid cuimhneamh gur am corrach atá ann ó thaobh na heacnamaíochta de agus dá bhrí sin, caithfidimid a chinntiú go bhfuil an státchiste ag fáil an luach is fearr ar airgead ó na hacmhainní atá leithdháilte don Ghaeilge agus don Ghaeltacht faoi láthair.

Tá an t-am crua agus níl éinne sa Teach seo is mó a thuigeann é sin ná an Teachta féin, a lig don bhuiséad a theacht anuas ó €26 milliún go €6 mhilliún i mbliana. Is bocht an oidhreacht atá fágtha agamsa, mar Aire Stáit. Is bocht ar fad é. Sílim gur chóir don Teachta a leithscéal a ghabháil. Caithfidh mé mo dhícheall a dhéanamh leis na hacmhainní an-teoranta a d'fhág Rialtas an Teachta le huacht agam sula ndeachaigh sé anonn go dtí an taobh eile den Teach. Is féidir leis suí siar anois agus na lámha a chroitheadh ach caithfidimid-ne an sparán a úsáid chomh maith agus chomh héifeachtach agus is féidir linn. Tá gach rún againn é sin a dhéanamh. Tá tacaíocht an Taoisigh agus tacaíocht an Aire agam. Tá mise im' Aire Stáit ach tá Aire atá an-fhábharach don Ghaeilge ag tábla an Rialtais. Tharla sin i gcás an Teachta féin nuair a bhí an Teachta Síle de Valera ina hAire agus é féin ina Aire Stáit. History does repeat itself.

**Deputy Éamon Ó Cuív:** Níor chreid ariamh mé go mba réiteach sásúil é sin, ó thaobh na Gaeilge de. Chuaigh mé chuig an Taoiseach agus thairg mé sin tar éis olltoghcháin 2007.

**Deputy Dinny McGinley:** Is féidir leis an Teachta é sin a rá inniu, deich mbliana ina dhiaidh, ach sin mar a tharla sé.

**Deputy Éamon Ó Cuív:** Mar a chonaic an t-Aire Stáit, athraíodh é sin agus bhí Aire i mbun na Gaeilge ó 2007 i leith.

The Dáil adjourned at 5.30 p.m. until 2.30 p.m. on Tuesday, 19 April 2011.

## Written Answers

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

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*Questions Nos. 1 to 10, inclusive, answered orally.*

### Departmental Programmes

11. **Deputy Éamon Ó Cuív** asked the Minister for Community, Equality and Gaeltacht Affairs if she will continue with the CLÁR programme; and if she will make a statement on the matter. [7986/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** As the Deputy will be aware, with the reduced funding made available to my Department, the CLÁR programme, which was targeted at tackling infrastructure and services deficits in depopulated rural areas, has been wound down. From an out-turn of the order of €24m in 2008, the allocation for the programme for 2011 was reduced in last December's Budget to €0.5m. This will be used to meet existing commitments arising during this year.

I am advised that no funding applications have been accepted since August 2008 under the main CLÁR programme measures. In view of the difficulties with the public finances, it is not currently proposed to open the programme to new applications. The Deputy will also be aware that the Capital Expenditure Review, prepared by the Department of Finance in July 2010, stated that such investment needs should be funded in the future by the Government Departments with primary sectoral responsibility in the areas concerned.

### Community and Voluntary Sector

12. **Deputy Sandra McLellan** asked the Minister for Community, Equality and Gaeltacht Affairs if she will ring-fence €50 million per year from the dormant accounts fund for the community and voluntary sector. [7974/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** The Dormant Accounts Acts provide for an annual transfer by credit institutions and insurance undertakings of monies in accounts determined to be dormant into the Dormant Accounts Fund (DAF). Since its establishment in April 2003 to the end of February 2011, the transfers to the DAF have totalled some €589m, which includes interest earned of some €35m. Funds reclaimed in that period by account holders amounted to approximately €208m.

[Deputy Frances Fitzgerald.]

Allocations from the DAF — in accordance with Part 6 of the Dormant Accounts (Amendment) 2005 Act — are focussed on programmes or projects to assist:

- the personal and social development of persons who are economically or socially disadvantaged;
- the educational development of persons who are educationally disadvantaged; or
- persons with a disability.

The value of the DAF at the end of February 2011, net of liabilities, was some €52.5m. This figure excludes €49.4m maintained in a Reserve Account to meet future reclaims by account holders and to cover expenses associated with the operation of the DAF. A summary of the status of the DAF is available on my Department's website at [www.pobail.ie](http://www.pobail.ie) and I am arranging for a copy to be sent to the Deputy in the coming days.

With regard to the question of ring-fencing moneys from the Fund, the Deputy will appreciate that given its focus, as set down in the legislation, a significant proportion of the funding disbursed to date from the DAF is already channelled through community and voluntary groups under the existing arrangements. This is in addition to the other substantial supports provided by my Department to that sector annually through other programmes and schemes.

The intention has always been to ensure that there is a broad and balanced range of potential beneficiaries from dormant accounts disbursements. I believe that this should continue into the future, rather than focussing on any particular sector. In any event, given the reduced levels of funding available for disbursement from the DAF, ring-fencing annually the amount suggested by the Deputy would not be feasible.

In this context, it should also be noted that, in the light, inter alia, of the reduced levels of funding available, proposals had been under consideration by the previous administration to dissolve the Dormant Accounts Board and to make appropriate arrangements for the transfer of its functions to my Department. I anticipate that this, and related matters relating to future disbursements, will be considered by Government in the near future.

Finally, the Deputy should note that moneys disbursed from the Fund increase Government debt levels as the money belongs to the account holder, who can reclaim it at any time, and not to the State. Consequently, every euro spent from the Fund is regarded in accounting terms as a potential Government liability. In the current fiscal climate, our priority, therefore, must be to ensure that funding is targeted on a needs basis and spent efficiently and effectively. This is the Government's intention in the context of dormant accounts disbursements and in the case of supports for the community and voluntary more generally.

### **Departmental Programmes**

13. **Deputy Éamon Ó Cuív** asked the Minister for Community, Equality and Gaeltacht Affairs if she will continue with the RAPID programme; and if she will make a statement on the matter. [7987/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** As the Deputy is aware, the RAPID Programme aims to ensure that priority attention is given to tackling the spatial concentration of poverty and social exclusion within designated RAPID areas nationally. It is a matter for individual Departments to report on the provision of funding and progress on delivery with regard to projects under their responsibility in the different RAPID areas.

My Department administers the RAPID Leverage Schemes, which seek to support small-scale projects identified locally by Area Implementation Teams in each of the RAPID areas. These schemes have been co-funded by the relevant agencies and projects have focused on estate enhancement, graffiti removal, traffic calming, community closed-circuit television, health and sports facilities and the provision of play groups.

The Deputy will appreciate that the RAPID Programme faces significant challenges, given that the capital budget for the RAPID Leverage Schemes has fallen from an out-turn of €9 million in 2009 to an allocation of €2.5 million in 2011. In order to ensure the continued relevance of RAPID, my Department is assessing the case for changing the policy direction of the programme, with a greater focus, inter alia, on the coordination and local consultation roles of the programme, and enhancing the opportunities for input by residents in disadvantaged areas.

*Question No. 14 answered with Question No. 6.*

*Question No. 15 answered with Question No. 9.*

### **Plean Ghaeltachta**

16. **D'fhiafraigh Deputy Caoimhghín Ó Caoláin** den Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta cad é atá beartaithe maidir le plean Fhine Gael chun Gaeltacht a bhunú ar Oileán Chliara. [7965/11]

**Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Dinny McGinley):** Faoi láthair, tá teorainneacha na Gaeltachta sainithe faoin Acht Airí agus Rúnaithe (Leasú) 1956. Faoi Ordú na Limistéar (Gaeltacht) 1956, aithníodh 84 toghroinn cheantair iomlán agus codanna de 58 toghroinn cheantair eile sa Ghaeltacht i gcontaetha Dhún na nGall, Mhaigh Eo, Ghaillimh, Chiarraí, Chorcaí agus Phort Láirge. Cuireadh leis na teorainneacha sin trí huaire ó shin trí Orduithe éagsúla.

Tá míniú tugtha sa réamhrá leis na hOrduithe sin ar an gcúis gur bronnadh aitheantas Gaeltachta orthu:

*De bhrí gur limistéir ar Gaeilgeoirí mórchuid de na daoine iontu nó limistéir ina n-aice sin ar dóigh leis an Rialtas gur cheart iad a áireamh sa Ghaeltacht d'fhonn an Ghaeilge a chaomhnú agus a leathnú mar ghnáthurlabhra na limistéar a shonraítear sa Sceideal a ghabhann leis an Ordú seo.*

Mar is eol don Teachta, tá gealltanais tugtha i gClár an Rialtais go mbeidh an Rialtas ag tacú leis an Straitéis agus go gcuirfear na cuspóirí indéanta sa Straitéis i bhfeidhm. Tá an Coiste Rialtais faoin nGaeilge agus faoin nGaeltacht athbhunaithe ag an Rialtas faoi chathaoirleacht an Taoisigh. Bhí an chéad chruinniú den Choiste Rialtais ann ar maidin. Glactar sa Straitéis le treo ginearálta na moltaí sa *Staidéar Cuimsitheach Teangeolaíoch ar Úsáid na Gaeilge sa Ghaeltacht* maidir le stádas Gaeltachta a bheith bunaithe ar chritéir teanga. Deirtear sa Straitéis freisin go ndéanfar ceantair ina bhfuil 'Gaeltacht gréasáin' a aithint i reachtaíocht nua le forbairt a dhéanamh ar phobail teanga nua lasmuigh den Ghaeltacht mar atá sí faoi láthair. Ach reachtaíocht den chineál sin a bheith achtaithe, tá súil agam go mbeidh pobal Chliara sásta a bheith páirteach san iarracht náisiúnta chun an teanga a láidriú.

### **Departmental Bodies**

17. **Deputy Gerry Adams** asked the Minister for Community, Equality and Gaeltacht Affairs



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the position regarding the recommendations of the task force on active citizenship; and if she will make a statement on the matter. [7776/11]

31. **Deputy Gerry Adams** asked the Minister for Community, Equality and Gaeltacht Affairs if she will report on her role in the implementation of the recommendations of the task force on active citizenship; and if she will make a statement on the matter. [6579/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 17 and 31 together.

The Taskforce on Active Citizenship was established by Government in 2006 to review the evidence regarding trends in citizen participation across the main areas of civic, community, cultural, occupational and recreational life in Ireland. Following a consultation process, the Taskforce compiled a set of recommendations to enhance active citizenship in Ireland. The main recommendations relate to increasing participation in the democratic process; improving the interaction between the citizen and state institutions at local and national level, measures to promote a greater sense of community and community engagement; further education on the issues around active citizenship; and measures that provide increased opportunities for the inclusion of ethnic and cultural minorities in an increasingly diverse society.

In March 2007 the work of the Taskforce was successfully completed with the acceptance in principle by Government of the Taskforce recommendations. In 2008, the Government appointed a Steering Group on Active Citizenship to advise on the implementation of the Taskforce recommendations. My Department, in carrying out its role in relation to active citizenship, is supported by the Steering Group, whose members have a wealth of experience of working to develop community engagement.

The Government, for its part, continues to work with communities and organisations to highlight and promote the importance of increasing civic engagement by citizens, including voluntary and philanthropic activities that strengthen the fabric of community life across Ireland. I believe that a strong, vibrant community infrastructure is vital in order to maximise our potential to provide a better quality of life for all, despite the significant economic challenges that we now face.

My Department is also playing an active role in promoting the European Year of Volunteering 2011, in conjunction with Volunteering Ireland, the national coordinating body for the Year. Central to the Year is the concept of active citizenship, of which volunteering is just one part. At EU level, Ireland has been to the forefront of identifying active citizenship as a policy area which needs to be addressed and strengthened.

Progressing the recommendations of the Taskforce is a matter for several Departments, as well as my own. I am pleased that a number of the recommendations have been advanced to date, including the following:

- Audits of existing community facilities have been completed and appropriate arrangements are being made by local authorities to make them available at local level.
- The Taskforce recommended the strengthening of local civic participation, which informed the preparation of the Green Paper on Local Government. The White Paper, which was subsequently produced, is now being considered in the light of the Government's aims and priorities.

- The Department of Education and Skills has encouraged schools to make their premises available for community use. In addition, a scheme funded under the Dormant Accounts (Educational Disadvantage Fund) is enabling the 22 DEIS Band 1 schools in Limerick City to open after school hours to maximise community use of school premises and facilities. There are approximately 200 after-school activities running in all 22 schools.
- At second level senior cycle, the NCCA (National Council for Curriculum Assessment) is developing a syllabus for a full optional exam subject called ‘Politics and Society’ as an extension of the current Civic, Social and Political Education (CSPE) subject in Junior Cycle, which currently gives students practical experience of active citizenship.
- In relation to the adult education sector, a range of Further and Adult Education programmes are geared towards enabling participants to contribute more fully to the social, cultural and economic life of this country, through education and information courses.

Active citizenship was a key theme of the Social Inclusion Week arranged by local authorities late last year as part of the Irish national programme of activities supporting the EU Year for Combating Poverty and Social Exclusion 2010. My Department also supported an all-island conference on “Combating Rural Poverty and Social Exclusion”. In this regard, the Steering Group liaised with my Department and the Department of Environment, Heritage and Local Government and advised on active citizenship awareness around the country.

### **Community and Voluntary Sector**

18. **Deputy Martin Ferris** asked the Minister for Community, Equality and Gaeltacht Affairs if she plans to modify the funding mechanism for the community and voluntary sector in order to rectify the unacceptable situation in which voluntary organisations must survive on bank overdrafts despite having funding approved. [7973/11]

25. **Deputy Martin Ferris** asked the Minister for Community, Equality and Gaeltacht Affairs if she will reverse the cuts in funding to the community and voluntary sector and move towards a multi-annual minimum funding. [7972/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 18 and 25 together.

The *Scheme to Support National Organisations in the Community and Voluntary Sector* commenced in 2008 with the aim of providing multi-annual funding to national organisations which provide coalface services to disadvantaged target groups. The three-year contracts came to an end on 31 December 2010. On 16 December 2010, applications were invited publicly under a new round of funding, which will provide multi-annual funding (subject to availability of funding) to national organisations towards core costs associated with the provision of services. The closing date for applications was 24 January 2011.

On 2 December 2010, organisations funded under the previous scheme were offered an extension to their contract until 31 March 2011. However, in light of the changes currently underway in relation to Departmental functions, I have decided to roll-over the current interim funding for a further month to allow sufficient time for decisions on the allocations under the new scheme to be made by the end-April 2011. The relevant organisations were informed of this revised timescale on 25 March 2011 and payment has issued where appropriate. All appli-

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cants will be contacted once the decision-making process for the new round of funding is finalised.

In regard to my Department's Local and Community Development Programme, which provides multi-annual funding to local development companies, urban-based partnerships and other community groups, the Deputy should note that the 2011 funding allocations to companies has been maintained at close to 2010 levels. The actual reduction in most cases is of the order of 3%. I am confident that this will allow for the continuation of important supports for people in disadvantaged communities and will allow for the key, essential, front-line services delivered through the programme to be maintained for 2011.

### National Drugs Strategy

19. **Deputy Micheál Martin** asked the Minister for Community, Equality and Gaeltacht Affairs the person to whom she has assigned responsibility for co-ordinating policy on drugs. [5809/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** Responsibility for coordinating policy on drugs is at present assigned to the Minister for Community, Equality and Gaeltacht Affairs.

As the Deputy may be aware, the Government has agreed, with effect from 1 May 2011, to transfer the functions of the Minister for Community, Equality and Gaeltacht Affairs in relation to the National Drugs Strategy to the Minister for Health and Children.

*Question No. 20 answered with Question No. 10.*

*Question No. 21 answered with Question No. 9.*

*Question No. 22 answered with Question No. 6.*

### Meitheal Forbartha na Gaeltachta

23. D'fhiafraigh **Deputy Dessie Ellis** don Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta an bhfuil sé i gceist aici fiosrúchán a dhéanamh maidir leis an aighneas atá ag dul ar aghaidh faoi láthair i Meitheal Forbartha na Gaeltachta. [7967/11]

**Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Dinny McGinley):** Cuirtear cistíocht ar fáil ó mo Roinne do Mheitheal Forbartha na Gaeltachta (MFG) d'fhonn raon seirbhísí a sheachadadh faoi Chlár Forbartha Áitiúil agus Pobail mo Roinne. Is buiséad measta de €1.82m atá ar fáil i mbliana do MFG don Chlár sin.

Is comhlacht neamhspleách é MFG, a bhfuil bord bainistíochta, agus meamraim agus airteagail chomhlachais, dá chuid féin aige. Is ar an mbord sin atá an fhreagracht maidir le maoirseacht chuí an chomhlachta. Sa chomhthéacs sin, ní miste don Teachta a nótaíl nach bhfuil aon ról ag mo Roinne i bhfeidhmíocht inmheánach na gcomhlachtaí forbartha áitiúla / páirtnéireachta agus, dá réir sin, nach bhfuil ról aici i ndáil le cúrsaí foirne — ar ceistanna iad sin do bhoird na gcomhlachtaí mar fhostóirí.

Ní miste don Teachta a nótaíl, áfach, go raibh cruinniú ann inné idir Pobal (a dhéanann bainistiú ar an gClár Forbartha Áitiúil agus Pobail thar ceann mo Roinne) agus MFG. Ag an gcruinniú sin, chuir Pobal in iúl don chomhlacht go bhfuil siad chun feidhmeannach neamhspleách a ainmniú le hoibriú le MFG agus le scrúdú a dhéanamh ar an mbealach ina fheidhmítear an Clár Forbartha Áitiúil agus Pobail. Beidh ar an bhfeidhmeannach tuairisciú ar ais laistigh de thrí mhí le moltaí maidir le seachadadh an Chláir ag MFG amach anseo.

### National Drugs Strategy

24. **Deputy Mary Lou McDonald** asked the Minister for Community, Equality and Gaeltacht Affairs if the situation regarding the three community development posts at locations (details supplied) has been resolved; and if she will make a statement on the matter. [7968/11]

**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 and Local Government, which was then responsible for the continued funding of this service. However, in April 2001, under Round 2, additional funding was approved to increase the level of service provided by making these posts full-time. The channel of funding for the project was Dublin City Council. However, in May 2005 the additional funding 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 it cannot continue to provide the additional funding and can only support part-time posts. Accordingly, it is a matter for the Task Force to consider, having regard to current priorities, whether to maintain funding for full-time posts in the context of its 2011 allocation of €1.6m.

*Question No. 25 answered with Question No. 18.*

### Community and Voluntary Sector

26. **Deputy Jonathan O'Brien** asked the Minister for Community, Equality and Gaeltacht Affairs if she will affirm her commitment to the independence of the community sector; if she will detail any planned reforms that will affect the sector; the form that consultation will take in advance of any such reforms; and if she will make a statement on the matter. [7971/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** The independence of the community voluntary sector has been a long principle underpinning the relationship between the State and the Community and Voluntary Sector. This was set out in the *White Paper on a Framework for Supporting Voluntary Activity*, published in 2000, and reaffirmed under the *Towards 2016 Partnership Agreement* in 2006.

To give effect to commitments under *Towards 2016* to engaging with the community & voluntary sector to deepen the partnership between statutory bodies and community and voluntary organisations, my Department has been seeking to develop a structured dialogue process with the 17 members of the Community and Voluntary Pillar. It has been proposed that the dialogue process would be undertaken initially on a bilateral basis and, subject to good progress being made, that other Departments would be invited to engage on cross-cutting issues. A draft proposal has been circulated to the members of the Community and Voluntary Pillar along these lines.

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In relation to planned reforms of the sector, the Deputy will be aware that the Charities Act 2009 is designed to reform the law in relation to charities in this country. The Act is structured in such a way as to allow for commencement, by Ministerial Order, of its individual provisions on different dates, over a period of time. To date, a number of sections of the Act have commenced — to regulate the sale of pre-signed Mass cards and to make provision to grant powers in any proceedings to the courts to grant relief to charity trustees from personal liability for breach of trust, where the opinion of the court is that the trustee concerned acted in good faith and ought to be excused.

While commencement of the majority of the Act is contingent on a Charities Regulatory Authority and a Charity Appeals Tribunal being in place, a number of initiatives to regulate and enhance the transparency of the sector have been progressed since the legislation was enacted. A critical aspect of the implementation process involves delivering on the commitment to consult with the charities sector in relation to the type of financial and activity reporting that they will be required to make to the new Authority. It is hoped that a public consultation process on this matter will be initiated over the coming months. My Department has also been providing funding and working in partnership with the charities sector to develop a scheme to implement and monitor a voluntary Code of Practice for Fund-raising by charities. In this context, Guiding Principles for Fund-raising were recently produced and have been disseminated to the charities sector. A Monitoring Group, which will include representation from my Department, is also being established to monitor adherence to the codes and to generally review their operation over a three-year period.

*Question No. 27 answered with Question No. 10.*

### Coláistí Samhraidh

28. D'fhiafraigh **Deputy Dessie Ellis** don Aire Gnóthaí Pobail, Comhionannais agus Gaeltachta cén plean atá ag an rialtas chun na ciorruithe a chuir an rialtas deireanach i bhfeidhm ar na Coláistí Samhraidh, a aisiompú. [7966/11]

**Minister of State at the Department of Community, Equality and Gaeltacht Affairs (Deputy Dinny McGinley):** Ar an gcéad dul síos, tá áthas orm a rá go leanfar ag íoc deontas i mbliana faoi Scéim na bhFoghlaimoirí Gaeilge le teaghlach sa Ghaeltacht a choinníonn foghlaimoirí Gaeilge ar iostas, fad agus atá siad ag freastal ar choláistí Gaeilge aitheanta.

Mar is eol don Teachta, laghdaíodh an deontas laethúil a íoctar faoin scéim seo le dhá bhliain anuas. Níl i gceist aon athrú a dhéanamh ar an deontas laethúil faoin scéim i mbliana. É sin ráite, déanfar athbhreithniú ar an gcúnamh a chuirtear ar fáil ó mo Roinnse tar éis cúrsaí na bliana seo sna coláistí Gaeilge. Ar ndóigh, beidh mo Roinn ag tabhairt gach cúnamh gur féidir chun breis forbartha agus feabhais a chur ar gach gné de chóras na gcoláistí Gaeilge sa toadhcháil. Tá ról tábhachtach ag na coláistí Gaeilge do chaomhnú na Gaeilge agus d'eacnamaíocht na Gaeltachta — ról atá aitheanta sa *Straitéis 20 Bliain don Ghaeilge 2010–2030*.

### National Drugs Strategy

29. **Deputy Jonathan O'Brien** asked the Minister for Community, Equality and Gaeltacht Affairs if she is committed to implementing the National Drugs Strategy; the reason there is no mention of it in the Programme for Government; and if she will provide a guarantee that there will be no roll back on the provisions of the National Drugs Strategy. [7970/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** Responsibility for co-ordinating policy on drugs is at present assigned to the Minister for Com-

munity, Equality and Gaeltacht Affairs. As the Deputy may be aware, the Government has agreed, with effect from 1 May 2011, to transfer the functions of the Minister for Community, Equality and Gaeltacht Affairs in relation to the National Drugs Strategy to the Minister for Health and Children.

The Government is committed to addressing problem drug use in a comprehensive way. Indeed, this is made fully clear in the Programme for Government (*Government for National Recovery 2011-2016*), which states that “We are committed to providing renewed impetus to the fight against drugs . . .”. In line with this, the National Drugs Strategy 2009-2016 aims to tackle the harm caused to individuals and society by the misuse of drugs through a concerted focus on the five pillars of supply reduction, prevention, treatment, rehabilitation and research. The Actions set out in the Strategy facilitate a planned and monitored approach to achieving the overall strategic objectives. It is envisaged that progress on the implementation of these Actions will continue to be reviewed on an ongoing basis.

I can assure the Deputy that the Government intends to build upon the progress already achieved in the implementation of the National Drugs Strategy 2009-2016 to the benefit of individuals, their families and their communities.

### Departmental Bodies

30. **Deputy Pádraig Mac Lochlainn** asked the Minister for Community, Equality and Gaeltacht Affairs her intentions for the Family Support Agency; and in particular the funding for Family Support Centres. [7977/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** The Family Support Agency has a statutory role in relation to support services for families and its main functions include:

- the Family and Community Services Resource Centre Programme;
- the scheme of grants to voluntary organisations providing marriage, child and bereavement counselling services; and
- the Family Mediation Service.

The agency also has responsibility to undertake or commission research and to promote and disseminate information about family-related issues.

There are 107 Family Resource Centres (FRCs) throughout the country supported by the Agency. The aim of the FRC Programme is to combat disadvantage and improve the functioning of the family unit. The Programme emphasises the involvement of local communities in tackling the problems they face, and creating successful partnerships between voluntary and statutory agencies at community level. FRCs involve people from marginalised groups at all levels of the organisation, including their voluntary management committees.

Funding amounting to €31.7m is being provided to the Agency in 2011 for the support services it provides for families. This includes an amount of approx. €15.9m for the FRC Programme. I am confident that the 2011 allocation for the Programme is adequate to enable the continuation of the very valuable services provided by FRCs throughout the country to some of the most vulnerable families in our communities.

As the Deputy will be aware, the Government has decided that the Agency will come under the remit of the Department of Children and Youth Affairs. I believe that bringing together responsibility for all family support matters in one Department will provide a key opportunity to improve and enhance services for children and families. Arrangements are being made to

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ensure that all legislative and administrative requirements will be in place to ensure the smooth transfer of the Agency to the remit of the new Department in the next few weeks.

A decision has also been made, in principle, that the Family Mediation Service (FMS) will transfer from the Agency to the Department of Justice, Equality and Defence. This is in line with the Government's commitment to facilitate the use of mediation in family disputes in order to speed up the legal process, reduce costs and ameliorate the stress of contested court proceedings. The detailed arrangements for the transfer of the FMS will be progressed in the coming weeks in consultation with the Agency and other stakeholders.

*Question No. 31 answered with Question No. 17.*

### **Human Rights Issues**

32. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs if he will make representations to the Iraqi authorities and the US Ambassador regarding the recent attacks on unarmed political refugees in Ashraf, Iraq, who had been identified as protected persons under the Geneva Convention. [8018/11]

**Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore):** I am deeply concerned at recent reports of the use of force against Camp Ashraf residents in Iraq and the resulting loss of life. I fully support the statement on 9 April by EU High Representative Ashton condemning the recent violence in Camp Ashraf, and particularly her renewal of the EU's repeated call on the Iraqi government to refrain from the use of violence and to show full respect for the human rights of Camp Ashraf's residents. As you will be aware, Ireland does not have a resident Embassy in Iraq. However, EU representatives met with Prime Minister Nouri al-Maliki on 4 April and conveyed this message directly to the Prime Minister on that occasion.

While there are no easy remedies to the situation in Camp Ashraf, force is not the answer. Iraq's sovereignty should be respected over the entire territory of Iraq, including in Camp Ashraf, but the human rights of residents of Camp Ashraf must be respected too. In seeking a solution, Ireland and its EU partners will continue to call upon the Iraqi government to grant access to independent international observers, to show restraint and to seek a peaceful and sustainable solution. We will continue to work with international partners, including the US, with a view to resolving the situation in Camp Ashraf.

### **Diplomatic Relations**

33. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs if he will provide details of all those Heads of State outside of the European Union that the European Council has formally called on to step down. [8034/11]

**Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore):** The European Union maintains diplomatic relations with almost every country in the world. Through engagement with these countries, the EU aims to promote the common values and interests of the Union, to develop and consolidate democracy and the rule of law and to promote respect for human rights. The European Council, which defines the general political direction and priorities of the EU, has, on occasion, called on a foreign Head of State or Government to step down. Such a call, however, represents just one, limited way of promoting EU values and influencing the process of change within a country. In relation to Libya, the Deputy will be aware of the Government's view that Colonel Gaddafi and his family should surrender power and leave the political stage in order to allow the Libyan people to peacefully determine their future. This is

also the considered view of our EU partners, as clearly expressed by the European Councils on 11 and 25 March, and again by the Foreign Affairs Council on 12 April.

Calling for Colonel Gaddafi to relinquish power does not amount to actively seeking regime change. He has clearly lost all legitimacy to rule and there are no circumstances in which one could envisage the vast majority of the Libyan people being prepared to have him continue as their Head of Government, in light of the violence and repression he has visited upon them. Ultimately, however, it remains for Colonel Gaddafi to draw his own conclusions and recognise that he and his regime have no political future in Libya. Extensive diplomatic and economic restrictive measures have also been imposed by the EU against Libya.

Following the Presidential elections in Cote d'Ivoire last year, Alassane Ouattara was declared the victor but the incumbent, Laurent Gbagbo, refused to accept the result. While the Foreign Affairs Council did not call on Gbagbo to step down, its conclusions on 31 January stated that it would only consider legitimate those institutions and bodies who placed themselves under the authority of President-elect Ouattara. The EU also imposed restrictive measures on Gbagbo and his allies. Gbagbo was arrested on Monday, 11 April, and is in the custody of the forces of President Ouattara.

### **Overseas Development Aid**

34. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs if he will provide a detailed breakdown of overseas development aid spending in 2009 and 2010; the amount that was allocated, by country and region, as well as programme of support and if money allocated in the years in question was drawn down. [8035/11]

**Minister of State at the Department of Foreign Affairs (Deputy Jan O'Sullivan):** For 2010, Ireland spent €675 million on Official Development Assistance (ODA). Of this total, €521 million was administered by my Department through Irish Aid. A further €154 million was accounted for by ODA eligible expenditure made through other Government Departments, and Ireland's share of the EU Development Cooperation budget.

This level of expenditure resulted in Ireland spending approximately 0.53% of its GNP on ODA — and ensured Ireland met, and indeed exceeded, the wider EU target of 0.51%.

Comparative figures for 2009 show that Ireland spent a total of €722 million on ODA, which represented 0.54% of GNP.

Ireland's aid programme is internationally recognised as being of the highest quality and having a sharp focus on poverty reduction, with hunger eradication at its core. The latest OECD review of Ireland's aid programme has described the programme as "cutting edge". Most of Ireland's bilateral ODA is directed to the least developed countries, with a particular focus on a limited number of very poor partner countries, called Programme Countries, mainly in sub-Saharan Africa.

Ireland's aid programme is based on the promotion of sustainable development results and has a particular focus on the social sectors of health, education, governance and addressing food security and hunger. Funding is delivered through a wide range of partner organisations including Programme Country national systems, NGOs and Missionary Organisations and UN and other international specialist agencies.

My Department is currently in the process of finalising the detailed analysis of Ireland's ODA expenditure for 2010, which will be published shortly in the Irish Aid annual report. The detailed analysis of Ireland's 2009 ODA expenditure is available in the 2009 annual report which can be accessed through the Irish Aid website at [www.irishaid.gov.ie](http://www.irishaid.gov.ie).



35. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs the mechanisms in place to ensure that overseas development aid funding is spent as intended once drawn down by the recipient, that is, in accordance with the stated objectives of the programme receiving funding. [8036/11]

**Minister of State at the Department of Foreign Affairs (Deputy Jan O’Sullivan):** Irish Aid has rigorous planning, monitoring, evaluation and audit mechanisms in place. This ensures that all funds are spent effectively and are used for the stated objectives of the programmes receiving funding.

Irish Aid planning processes have a strong results focus which identifies specific objectives and results against which Irish Aid programmes are measured and evaluated. All development aid funding is disbursed based on clear and detailed proposals in line with these specific objectives. Proposals are appraised by Irish Aid staff as well as by an independent external Programme Appraisal and Evaluation Group using a number of different criteria, including quality of intended impact, sustainability, cost effectiveness and efficiency in the use of resources.

Programmes in receipt of funding from Irish Aid are continually monitored and assessed, by both staff in the field and at headquarters, to ensure that they are achieving results and that the intended objectives and goals are being accomplished. This takes place through regular supervision and reporting, and external reviews are also conducted as necessary.

Irish Aid programmes are regularly audited and evaluated by independent evaluation and audit firms as well as by Irish Aid’s Evaluation and Audit Unit, including internal auditors based in our Programme Countries. The Unit’s work is also reviewed by the Department’s independent Audit Committee. These evaluations and audits provide assurance that funds are used for the purposes intended and have a particular focus on poverty outcomes and value for money.

While we are working in some of the most difficult environments in the world, I am satisfied that the monitoring, evaluation and audit systems which we have in place provide the best assurance that development aid funding is used for the intended objectives.

36. **Deputy Eoghan Murphy** asked the Tánaiste and Minister for Foreign Affairs the last time a value for money audit was conducted in relation to moneys allocated under overseas development aid programme. [8037/11]

**Minister of State at the Department of Foreign Affairs (Deputy Jan O’Sullivan):** The last value for money work relating to the overseas development aid programme was completed in November 2009. This was a review of Irish Aid’s expenditure of €340 million devoted to HIV/AIDS programmes for the period 2000 to 2007. This report was published and is available in the Dáil Library and on the Irish Aid website.

Further value for money work is planned to be undertaken in 2011. This value for money exercise will be a review of Irish Aid’s support to Concern Worldwide under the Multi-Annual Programme Scheme for NGOs over the period 2007-2010.

### **Passport Applications**

37. **Deputy Michael Creed** asked the Tánaiste and Minister for Foreign Affairs if he is satisfied that he has adequate staff in the passport office to deal with seasonal demand for passports; his plans to recruit additional part-time staff; if so, the procedures in place for this recruitment; and if he will make a statement on the matter. [8078/11]

**Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore):** There are currently 313 staff in the Passport Service working in the Passport Offices in Dublin City Centre, Balbriggan, Cork and London. Passport demand is seasonal with almost 50% of all passport applications received in the four months April-July. To cope with the temporary seasonal increase in applications, temporary clerical officers are employed annually during the high demand season. This year fifty temporary clerical officer positions were sanctioned by the Department of Finance and these posts have now been filled. This is the same as the number of temporary staff recruited in 2010. Temporary staff for the Dublin City Centre Passport Office were recruited from Public Appointments Service panels and temporary staff for Cork and for Balbriggan were recruited through FÁS. We will continue to keep the matter under review.

### Departmental Staff

38. **Deputy Michael Creed** asked the Tánaiste and Minister for Foreign Affairs the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8090/11]

**Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore):** The table below contains details of the numbers of staff by grade in my Department in December 2002, December 2005 and December 2010. The figures include officers from other Government Departments serving in our missions abroad, most notably Ireland's Permanent Representation to the EU in Brussels, and exclude approximately 300 locally-engaged staff. Similar information for the period prior to the introduction of the central Human Resources Management System by the Department of Finance in December 2002 is not readily available.

Increases in my Department's staffing complement since 2002 are largely attributable to the:

- recruitment of additional staff for the Passport Service to enable it to cope with annual increases in the demand for passports;
- expansion of the Irish Aid overseas development programme.

I should also inform the Deputy that the Department of Foreign Affairs is obliged to shed a total of 177 posts over the period March 2009 to end December 2014 under the Government's current Employment Control Framework.

Grade	Staff numbers by grade December 2002	Staff numbers by grade December 2005	Staff numbers by grade December 2010
Secretary General	1	1	1
Second Secretary General	4	3	2
Deputy Secretary General	5	4	5
Assistant Secretary General and Equivalent	47	47	37
Principal Development Specialist	3	3	5
Principal Officer/Counsellor and Equivalent	82	94	81
Senior Development Specialist	0	15	18.6
Assistant Principal Officer/First Secretary and Equivalent	172	193	192.8
Development Specialist	3	24	26.8
Higher Executive Officer/Third Secretary and Equivalent	158	169	179.55
Executive Officer	89	121	97.9

[Deputy Eamon Gilmore.]

Grade	Staff numbers by grade December 2002	Staff numbers by grade December 2005	Staff numbers by grade December 2010
Staff Officer	36	40	43
Clerical Officer	400	451	436.6
Cleaners/Service Officers and Equivalents	46	50	46.8
Political Appointees	*	*	16
Total	1063	1215	1189.05

\*The details for these years are not readily available.

### Public Procurement Contracts

39. **Deputy Maureen O’Sullivan** asked the Minister for Finance his views on the fact that 18% of all Government contracts in printing industry go outside the State when the EU average is 1.5%; and if he will make a statement on the matter. [8020/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** A statistic released by the EU Commission in 2010 suggested that 17% of the number of public procurement contracts awarded by Ireland in 2008 went to suppliers outside the jurisdiction. It should be noted that these figures relate to public procurement in general, and not just to the print industry. However, the statistic is based on incomplete data relating only to above threshold procurements, where contract award notices were published, and the nationality of the winning tenderer disclosed.

When one compares the value (as opposed to the number) of contracts going to non-Irish companies in 2008, the figure actually amounts to less than 5% of the overall public spend on procurement. It should also be noted that the figures quoted by the Commission do not distinguish between companies in the UK and those based in Northern Ireland, so of the contracts going “abroad”, many of the contracts may have stayed on the island of Ireland. The EU Commission agrees that an alternative interpretation of their figures is that “about 95% of all procurement by value was from domestic suppliers”.

As regards print contracts up to 2009, the Government Supplies Agency, a Business Unit of the Office of Public Works, organised centralised procurement of printing services on behalf of Government Departments, Offices and Agencies (including An Garda Síochána and the Defence Forces). This role has been subsumed by the National Procurement Service, whose remit now extends to other public service organisations.

The OPW has always applied the relevant Directives and Regulations in its procurement operations. Notwithstanding this, most of the work under print contracts for the GSA, and now for the NPS, is carried out in Ireland:

- In 2008, 89.4% of the total value of OPW print contracts went to suppliers in the Republic of Ireland (90.5% to suppliers on the island of Ireland);
- In 2009, 95.6% of the total value of OPW print contracts went to suppliers in the Republic of Ireland (96.7% to suppliers on the island of Ireland).
- In 2010, 94% of the expenditure under NPS contracts went to suppliers in the Republic of Ireland (94.1% to suppliers on the island of Ireland).

Although other public bodies also place contracts for print, it is clear from the NPS figures that the vast majority of expenditure on print contracts remains in Ireland and that the “facts” are very different from what is suggested in the question posed by the Deputy.

The National Procurement Service (NPS) has made efforts to ensure that print companies are able to take full advantage of the public procurement opportunities that arise and are available to them. The NPS facilitated a seminar for the Print & Packaging Forum in September 2009, which covered all the issues relating to competing for public procurement contracts, such as the Public Procurement regulations, accessing the market opportunities, the tendering process, and general guidance on how companies should approach the preparation of tenders. Further seminars were delivered to ISME and to Chambers of Commerce in 2010 and 2011. The NPS has produced a leaflet “Top Tendering Tips for Public Sector Contracts” which is freely available. It is also planning to deliver workshops in 2011 on public procurement opportunities in association with Enterprise Ireland and Intertrade Ireland.

In addition, the NPS has put in place a Print Panel for small print requirements (below the new threshold for advertising on eTenders of €25,000). All print companies who are interested in public sector work should apply to be placed on the print panel, but we have not had as great a response as we would have hoped. Of the 700 or so companies that are involved in print, only around 55 are included in the panel, which is available currently to all public sector buyers on *www.opw.ie*, together with instructions on how it can be used for low-value tenders. The opportunities for small print requirements should be enhanced by the fact that the NPS has ceased the use of aggregated contracts for a number of print services including bookwork and printed stationery. One significant development in the area of facilitating the SME sector was the publication by the Department of Finance in August 2010 of Circular 10/10. These guidelines to public contracting authorities aim to ensure that tendering processes are carried out in a manner that facilitates participation by SMEs, while ensuring that all procurement is carried out in a manner that is legal, transparent, and secures optimal value for money for the taxpayer. It addresses the concerns that SMEs have regarding access to public procurement opportunities, and highlights practices that are to be avoided, where they can unjustifiably hinder small businesses in competing for public contracts. The new arrangements include:

- greater open advertising of opportunities (threshold now €25,000);
- a reduced requirement for paperwork (such as accounts) at the early stages of tendering;
- an instruction that suppliers are not to be charged for access to tender opportunities;
- an assurance that all criteria used would be appropriate and proportionate; and
- an instruction that turnover and insurance levels would be set at proportionate levels.

All of these actions are consistent with the EU-commissioned research carried out by GHK on *Evaluation of SMEs’ Access to Public Procurement Markets in the EU* (September 2010), DG Enterprise and Industry, which notes that SMEs in Ireland secured greater access to public procurement than in other countries.

In addition to the work being done by the NPS and the Department of Finance, Enterprise Ireland is running strategic workshops to assist companies, such as Management Development workshops, which have been run specifically for the print industry, and Strategic & Change Management programmes. Enterprise Ireland also offers assistance with exports, management development, lean manufacturing, research and development, and overseas offices programmes.

[Deputy Brian Hayes.]

We cannot be seen to close ourselves off from the EU marketplace, by adopting a protectionist stance, as in 2009 alone 80 companies won €210m in overseas public procurement opportunities with the support of the public procurement section in Enterprise Ireland. In 2010, in the order of 63 overseas public procurement contracts were won by Irish firms, as well as €200m worth of contracts with the Olympic Development Authority in the UK.

Intertrade Ireland offers GO<sub>2</sub>tender workshops, which include mentoring, consortium and cluster development.

Many small companies with less than 10 employees can avail of the services of County Enterprise Boards, and should liaise with their local County Enterprise board to see what support is available to them.

The Department of Foreign Affairs has published links on its website to other countries' public procurement portals which are open to Irish companies as well as other useful links.

The Government is supporting the print industry and SMEs generally through the range of initiatives outlined above, but under EU procurement law and the principles of transparency, non-discrimination and equal treatment, it cannot set out deliberately to discriminate in their favour, when tendering for goods and services.

### **Tax Code**

40. **Deputy Eoghan Murphy** asked the Minister for Finance if he will reverse the decision of the last Government to withdraw the patent income tax exemption, an important exemption which underlines Ireland's commitment to research and development and which, if restored, would also confirm his commitment to putting research and development at the heart of plans or recovery. [8039/11]

**Minister for Finance (Deputy Michael Noonan):** The decision to abolish the relief was taken in the light of a recommendation to this effect by the Commission on Taxation. The Commission's views on this relief were quite definitive. It found that it had not had the desired impact on innovation and R&D activity and that, despite various refinements to the scheme over the years, the relief was not a particularly well-targeted measure providing good value for money. The Commission also expressed the view that the relief had not resulted to any great extent in companies carrying out R&D activity and that it was being used in some cases by companies "as a tax avoidance device to remunerate employees". The Government agrees with the conclusions of the Commission and believes that in the current challenging times scarce resources should be focused instead on the R&D tax credit scheme. The R&D credit scheme provides a more direct and effective incentive for enterprises to innovate and invest in R&D activities and the scheme has been enhanced considerably in recent years to make it one of the most competitive of its kind anywhere.

Abolition of the patent income exemption will yield €50 million to the Exchequer in a full year.

The Deputy will be aware that the Programme for Government states that this Government "will reduce, cap or abolish  $\chi$  tax shelters which benefit very high income earners. We will also ensure the implementation of a minimum effective tax rate of 30% for very high earners."

Considering that the patent income exemption had been used as a tax efficient means of rewarding employees and directors, I will not be reversing the decision to abolish the exemption.

### Departmental Expenditure

41. **Deputy Seán Kenny** asked the Minister for Finance the cost to the Exchequer of purchasing two additional mobile x-ray scanners and two cutter vessels for the Revenue Commissioners. [8006/11]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the estimated capital cost of purchasing two additional mobile X-ray container scanners is in the region of €6,000,000, or €3,000,000 per scanner, inclusive of VAT and standard 5-year maintenance service, based on current market trends. The estimated running costs of two scanners per annum, to include crew salaries, fuel costs, etc. is a further €640,000 at current prices.

I am further advised by the Revenue Commissioners that the estimated capital cost of purchasing two additional cutter vessels is in the region of €6,000,000, or €3,000,000 per vessel, VAT inclusive. This is based on the cost of the most recently acquired cutter, RCC Faire, adjusted for changes in commodity prices and inflation. That vessel cost €2.78 million, VAT inclusive, and the contract to acquire it was signed in February 2008.

The estimated running cost of two cutters per annum is in the region of €1,260,000. This includes fuel, insurance, berthage, ongoing maintenance and licensing charges as well as crew salaries and other associated costs.

Any process to acquire additional mobile X-ray scanners and cutters would be subject to competitive tendering, which would determine the actual prices to be paid. It should be noted that prior to any such process, it would be necessary to establish that acquisition of further such equipment would significantly assist Revenue's anti-smuggling operations. Crewing such equipment would also have to take account of Government policy in relation to civil service numbers.

### Public Procurement Contracts

42. **Deputy Michael McGrath** asked the Minister for Finance the position regarding the contract for the supply of stationery and office supplies as advertised by the national procurement service; and if he will make a statement on the matter. [8027/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** The National Procurement Service in the Office of Public Works has tendered for the supply of stationery and office supplies.

The tender was divided into three lots, Lot 1 Stationery, Lot 2 ICT Consumables and Lot 3 Paper. The current status of each lot is as follows:

Lot 1 Office Stationery — A contract has been awarded to Codex Ltd. This is a one year contract with the option of extending for two further six month periods.

Lot 2 ICT Consumables — Now being evaluated.

Lot 3 Paper — The evaluation has been completed and standstill notices have been issued. The standstill period concludes on 24 April 2011.

### Senior Bond Debt

43. **Deputy Michael Creed** asked the Minister for Finance the value of senior bond debt in each of the banking institutions covered by the State guarantee; if he has any information regarding the value of senior bond debt within these institutions which is held by Irish Credit Unions; and if he will make a statement on the matter. [8075/11]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will be aware that on 1 April 2011, the Central Bank of Ireland published the total senior and subordinated debt issuances by those banks covered by the Bank Guarantee, as at March 2011. This information is available on the Central Bank's website at [www.centralbank.ie](http://www.centralbank.ie). The Central Bank published the individual figures on a once-off basis and were disclosed with the consent of the financial institutions and does not form part of any Central Bank statistical series. Although the Central Bank does not normally publish this information, the Central Bank has advised me that as at 1 April 2011, the total aggregate senior debt, guaranteed and unguaranteed, for the covered institutions is €56,644m, made up of €20,643m senior guaranteed, €19,944m senior unguaranteed secured, and €16,057m senior unguaranteed unsecured debt.

The financial institutions do not have comprehensive information on the holders of their senior, junior, or subordinated debt because such debt is publicly traded and dealt through clearing house systems. The covered institutions do not have access to the records of those systems and have no means of establishing the underlying ownership of its bonds at any given time. Unlike the case of shares, the holders of credit institutions' senior and subordinated debt instruments are not subject to a disclosure regime.

### Departmental Staff

44. **Deputy Michael Creed** asked the Minister for Finance the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8089/11]

**Minister for Finance (Deputy Michael Noonan):** Below are details of the numbers of staff (Full Time Equivalents (FTEs)) for the years 1995, 2000, 2005 & 2010 in respect of my Department:

Department of Finance — Grade Title	1995	2000	2005	2010
Secretary General Finance	1.00	1.00	1.00	1.00
Secretary General PSMD	1.00	1.00	1.00	1.00
Second Secretary	3.00	3.00	3.00	3.00
Asst. Secretary	10.00	11.00	15.00	12.00
Principal Officer	42.00	47.00	50.40	46.10
Assistant Principal	106.50	134.00	149.70	125.95
Professional Accountant Gr 1	0.00	0.00	1.00	1.00
Engineer Grade 1 Civil	0.00	1.00	0.00	0.00
Administrative Officer	39.50	45.50	49.80	52.00
Higher Executive Officer	81.50	77.50	81.53	79.89
Executive Officer	44.00	52.50	53.70	49.20
Staff Officer	17.00	29.00	30.43	27.03
Clerical Officer	50.50	131.00	117.53	97.63
Head Services Officer	1.00	1.00	1.00	1.00
Visually Impaired Telephonist	4.00	4.00	0.00	0.00
Paperkeeper	3.00	0.00	0.00	0.00
Services Officer	24.00	21.00	20.00	21.00
Services Attendant	2.00	1.00	2.00	2.00
Clerical Asst	85.00	0.00	0.00	0.00

Department of Finance — Grade Title	1995	2000	2005	2010
Cleaner	2.00	1.00	0.00	0.00
Other*	12.00	8.00	10.00	18.66
Total	529.00	569.50	587.09	538.46

\* This category includes Medical, Professional and Technical Grades.

### School Books

45. **Deputy Maureen O’Sullivan** asked the Minister for Education and Skills his views on the over pricing of school books. [8021/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The cost of school text books is determined on a commercial basis by the educational publishers who commission them. My Department has no role in the production and publication of school text books. Accordingly, I am not in a position to speculate on the cost of school books, as referred to by the Deputy.

My Department intends to issue funding to primary schools in April and post-primary schools in June to enable them to provide assistance for school books.

Details of the funding were notified to schools by circulars 0023/2011 (primary level) and 0024/2011 (post-primary level), which are available on my Department’s website.

In these circulars, schools are urged to use this funding to establish book rental schemes, as these are the most effective means of lowering costs for all students.

Funding will be allocated on the following basis:

- €11 per pupil in primary schools;
- €21 per pupil in primary schools within the Delivering Equality in Schools (DEIS) scheme;
- €24 per pupil in post-primary; or—
- €39 per pupil in post-primary schools within the DEIS scheme.

This funding arrangement affords schools the autonomy to utilise funding in the most effective way based on their particular knowledge of their student needs. The previous system required schools to apply each year to my Department for a book grant, which resulted in a significant administrative burden, both for schools and my Department.

### Residential Institutions Redress Scheme

46. **Deputy Terence Flanagan** asked the Minister for Education and Skills if he will respond to correspondence (details supplied); and if he will make a statement on the matter. [8059/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Under the terms of the 2002 Indemnity Agreement, eighteen religious congregations agreed to make a contribution of €128 million towards the cost of the Residential Institutions Redress Scheme, which included €12.7m to be used for educational programmes for former residents of the residential institutions and their families. The Education (Former Residents of Certain Institutions for Children) Finance Board was established in 2006 as a statutory body to administer the fund, which had been previously administered by an *ad hoc* committee. The Education Finance Board provides financial support to individuals who were resident in institutions referred to in the Schedule to the Residential Institutions Redress Act, 2002, and family members to facilitate them in accessing



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educational programmes. Further information is available from the Board at its offices on Floor 3, Frederick Court, 24/27 North Frederick Street, Dublin 1 or on its website [www.educationfinanceboard.com](http://www.educationfinanceboard.com).

Following the publication of the Report of the Commission to Inquire into Child Abuse, the Ryan Report, the eighteen religious congregations who were party to the 2002 Indemnity Agreement were called upon to commit to making further substantial contributions by way of reparation. Subsequently, it was proposed to utilise €110m of the offers of contributions to be made over the next few years to establish a Statutory Fund to support the needs of survivors of residential institutional child abuse. My Department has undertaken a comprehensive consultation process and has prepared proposals, together with a General Scheme of a Bill to provide for the Statutory Fund. I intend discussing these proposals with my Cabinet colleagues in the near future.

To date, €20.6m of these cash contribution offers have been received and placed in a special interest bearing account in the Central Bank pending the establishment of the Statutory Fund. The remaining congregations are awaiting confirmation that the legislation will provide for the charitable status of their contributions to the Fund or sight of the proposed terms and structure of the Fund, prior to making their initial contributions. The offers of contributions envisaged that these contributions would be made over a period of years.

### Schools Building Projects

47. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills the reason a school (details supplied) in Dublin North Central has not received approval for a new school building; and if he will make a statement on the matter. [8010/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The school to which the Deputy refers is included in the 2011 school building work programme to progress to secure planning permission and prepare tender documents on a brief for an extension and refurbishment to the existing school.

The design team were authorised to seek Planning Permission based on the approved stage 2(a) design which had initially proposed a two storey extension. However, at a subsequent pre-planning meeting held between the Design Team and Dublin City Council, the Council recommended a single storey extension as the optimal solution on the existing school site. Ultimately the design will have to be one which can secure planning permission from the Council.

My Department has requested the Design Team to submit a revised stage 2(a) design solution to incorporate the Council's recommendations. The design team are currently working on this in conjunction with the school authority which is the client on this project.

48. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills the reason a school (details supplied) in Dublin 5 has been refused funding for new windows on the front of the school after previously receiving funding for new windows at the rear of the school; and if he will make a statement on the matter. [8011/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school in question submitted an application for the works referred to by the Deputy under the 2011 Summer Works Scheme.

A list of 453 successful schools was announced on 30 March 2011 and I regret that the application made by the school referred to by the Deputy was not selected. A letter to this effect has issued to the school.

Applications from schools for gas, mechanical and electrical works were prioritised for Summer Works funding this year. Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications. The capital budget allocated for the Summer Works Scheme has been reduced in recent years and it has been necessary to prioritise some categories of works over others.

My Department has sought to prioritise the funds that are available towards works that are most relevant to the health and safety of staff and students alike in our schools.

49. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills the reason a school (details supplied) in Dublin North Central, which has had an application in for an extension since 2001, has so far been refused the necessary funding; and if he will make a statement on the matter. [8012/11]

**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. A design team was appointed and the project reached stage 2(a) of architectural planning in 2007. In accordance with the published criteria for large scale building projects, the project for this school has been assigned a Band 2.4 rating.

The Deputy will understand that it is not possible to advance all projects to tender at the same time. This project was not included in the announcement of the 2011 school building work programme earlier this year.

The progression of all large scale building projects, including this project, from initial design stage through to construction phase will continue to be considered in the context of the Department's multi-annual School Building and Modernisation Programme. 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.

50. **Deputy Aodhán Ó Ríordáin** asked the Minister for Education and Skills the reason a school (details supplied) in Dublin North Central has been refused funding for a renovation of its front gate, which would allow for quick emergency access for vehicles such as ambulances or fire engines; and if he will make a statement on the matter. [8013/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** An application for funding under my Department's Emergency Works Scheme was received late last year from the school referred to by the Deputy. The application related to new entrance gates. 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.

### School Enrolments

51. **Deputy Finian McGrath** asked the Minister for Education and Skills the rules and regulations regarding primary school children attending schools outside their own area. [8028/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The question of enrolment in individual schools is the responsibility of the managerial authority of those schools. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all

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pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Section 29 of the Education Act 1998, provides parents with an appeal process where a board of management of a school or a person acting on behalf of the Board refuses enrolment to a student. Where a school refuses to enrol a pupil, the school is obliged to inform parents of their right under Section 29 of the Education Act 1998 to appeal that decision to either the relevant Vocational Educational Committee or to the Secretary General of my Department.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The Board can be contacted at National Educational Welfare Board, National Headquarters, 16-22 Green Street, Dublin 7 or by telephone at 01-8738700.

### **FÁS Training Programmes**

52. **Deputy Michael McCarthy** asked the Minister for Education and Skills when he expects to begin officially dismantling the FÁS programme; when this process will be completed; the structures of the existing FÁS programme that will remain; when he expects the new national employment and entitlements service to commence; and if he will make a statement on the matter. [8050/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Following the commencement on 1 January 2011 of the relevant sections of the Social Welfare (Miscellaneous Provisions) Act 2010, the Department of Social Protection assumed the funding and overall responsibility for FÁS employment services and employment programmes. As far as the training activities of FÁS are concerned, I am currently reviewing options regarding the provision of further education and training and the structures to support it. The timeline for the setting up of the National Employment and Entitlements Service and the details pertaining to it are matters for my colleague the Minister for Social Protection.

### **Higher Education Grants**

53. **Deputy Dan Neville** asked the Minister for Education and Skills if he will review an application in respect of a person (details supplied) in County Limerick. [8068/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** On 5/11/2010 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 23/11/2010. 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.

54. **Deputy Michael Creed** asked the Minister for Education and Skills if there is grant aid available for a student who wishes to pursue studies in performing arts in the UK; and if he will make a statement on the matter. [8071/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The student grant schemes include provision for grants to eligible students pursuing certain full-time undergraduate courses of at least two years duration in other EU Member States.

In addition, section 473A of the Taxes Consolidation Act 1997 provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved full-time and part-time courses in both private and publicly-funded third level colleges and universities. Further details and conditions in relation to this tax relief are available from the Revenue Commissioners. To qualify for a grant a student must also satisfy the terms and condition of the student grant schemes relating to age, residence, means, nationality and previous academic attainment.

A decision on eligibility for a student grant is a matter, in the first instance, for the grant awarding authority in the area where the student resides. Therefore, the student in question is advised to submit a fully completed application form to her grant awarding authority to establish her eligibility or otherwise for a grant. Grant awarding authorities also deal with the question of whether or not the course a student wishes to pursue is eligible for grant purposes.

### School Transport

55. **Deputy Timmy Dooley** asked the Minister for Education and Skills if he will sanction an extension of a school bus service (details supplied) to accommodate students attending a gael-scoil in County Clare. [8079/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Bus Éireann, which operates the School Transport Scheme, on behalf of my Department, has advised that the pupils referred to by the Deputy, in the details supplied, reside between 18.2 kilometres and 23.5 kilometres from the school in question. Bus Éireann further advises that the pupils can avail of a service which has a pick up point between 7.9 kilometres and 12.1 kilometres from their homes. Under the terms of the Post Primary School Transport Scheme, my Department is prepared to offer the families a Remote Area Grant towards the cost of arranging transport to the pick up point.

The planning and organising of school bus routes is an operational matter for Bus Éireann. Bus routes are planned in such a way as to ensure that, as far as possible, eligible pupils have a reasonable standard of service while at the same time ensuring that school transport vehicles are fully utilised in the most efficient manner. Bus Eireann have advised that the service in question cannot be extended to provide a more convenient pick up point as the travel and waiting times of other pupils on the route would be adversely affected.

### Departmental Staff

56. **Deputy Michael Creed** asked the Minister for Education and Skills the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8086/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The information requested by the Deputy on the number of staff employed in my Department in 1995, 2000, 2005 and 2010 is set out in the following tables.

1995	FTE*
<i>Grade (Non-Admin)</i>	
Chief Inspector	1
Deputy Chief Inspector	2
Assistant Chief Inspector	8

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1995	FTE*
Divisional Inspector	20
District Inspector	48
Senior Inspector	19
Post Primary Inspector	33
Director of NEPS	-
Regional Director	-
Senior Psychologist	4
Psychologist	35.5
Manager	4
Quantity Surveyor Grade I	2
Senior Architect	4
Architect	3
Architectural Assistant Grade I	9
Architectural Assistant Grade II	3
Engineer Grade I	1
Engineer Grad II	1
Mechanical/Electrical Engineer	1
Head Services Officer	1
Services Officer	24
Services Attendant	1
Nightwatchman	5
General Operative	1
Supervisor of Cleaners	1
Cleaner	18
Telephonist	5
Civilian Driver	2
Senior Statistician	-
Statistician	1
Accountant	1
Advisory Counsel	-
Assessor of Youth Work	-
Records Manager	-
Solicitor	-
Barrister	-
Child care adviser	1
Senior clerk of works	2
Principal engineer	1
Senior editor	1
Editor	2
Assistant editor	10
Technical officer	1
	276.50

\*full time equivalent.

	1995	2000	2005	2010
<i>Grade(Admin)</i>	FTE*	FTE	FTE	FTE
Secretary General	1	1	1	1
Assistant Secretary	5	4	5	8
Director	1	1	1	1
Principal Officer	23	24	35.1	36.6
Assistant Principal	42.5	55	61.5	93
Administrative Officer	4	5	4.4	7.8
Employee Assistance Officer	1	1	1	1
Higher Executive Officer	90	103	139.5	146.33
Executive Officer	160.5	237	284.18	266.86
Staff Officer	46.5	44	41.83	39.53
Clerical Officer	117	290	311.69	304.1
Clerical Assistant	146			
Ministers Staff — Press Officer	1	0	1	1
Ministers Staff — Special Advisor	2	0	1	2
Ministers Staff — Personal Assistant	1	1	1	1
Ministers Staff — Personal Secretary	1	1	1	1
Ministers Staff- Programme Manager	1			
Minister of State Staff — Personal Assistant	1	1	0	1
Minister of State Staff — Personal Secretary	1	1	1	1
Totals	645.5	769	891.2	912.22

\*full time equivalent

### Telecommunications Services

57. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if his attention has been drawn to the lack of broadband at a school (details supplied) in County Meath; the way an Internet service provider is contracted to provide broadband through the National Centre for Technology Education, NCTE; if the NCTE may engage with a local provider of broadband to provide a service for this school; and if he will make a statement on the matter. [8099/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am aware of the issue in relation to the broadband connection at Culmullen National School. Under my Department's Schools Broadband Programme connectivity to the internet is routed through a National Broadband Network, developed by HEAnet — the National Education and Research Network provider. HEAnet provides the broadband access to schools together with centrally managed services such as security, anti-spam/anti-virus and content filtering. Access to resources such as on-line versions of Britannica and World Book are also only available through the Schools Broadband Network. A broadband support service desk has been established to interface between the network, the local broadband service Access Providers and schools. It is managed by the National Centre for Technology in Education (NCTE).

[Deputy Ruairí Quinn.]

My Department with the assistance of the NCTE and HEAnet has secured broadband services on behalf of schools through a public procurement process that is open, objective and transparent in line with EU Treaty principles and Directives on public procurement. The Directives impose legal obligations on public bodies in regard to advertising and the use of objective tendering procedures for contracts above certain value thresholds. In line with public procurement regulations, a public procurement competition for provision of broadband connections to all schools (Phase II of the Schools Broadband Programme) was carried out by the Department in 2009. Contracts under the new agreement were signed in September 2009. The contracts are in place until end June 2011 with an option to extend for one year. My Department is currently working on the tender process for the next phase of the Schools Broadband Programme.

Following from the tendering process for phase 2, a contract was awarded to Digiweb for the provision of satellite broadband to this school as this was the only technically viable option at the time. My Department subsequently tried unsuccessfully to upgrade the service. The satellite broadband has since been disconnected. Since the commencement of the roll-out of phase 2 in 2009 of the Schools Broadband Programme there has been over a 50% increase in bandwidth capacity, this is due to improved bandwidth speeds being made available to schools and the substantial reduction in the number of schools who are connected via satellite. Schools are only offered satellite connections where no alternative was offered during the procurement process. Should a better solution become available from the contractors over the lifetime of the contracts, schools may be migrated to the new solution.

My Department has obligations under public procurement regulations and cannot engage with the local provider for provision of broadband to this school. If my Department allowed this private connection to be connected to the schools broadband network it could be seen as conferring an unfair advantage on this company over other broadband suppliers. I wish to inform the Deputy that if the school chose to connect privately with the local provider then they would have to pay for this from its own resources and would not be connected to the Schools Broadband Network.

The NCTE has been in contact with the school with a view to reconnecting the satellite connection which the school has declined. My Department is currently investigating if a fixed line (DSL) service can now be installed and is awaiting a response from the contractor. Once this response has been received, the school will be informed of the outcome.

### **Special Educational Needs**

58. **Deputy Timmy Dooley** asked the Minister for Education and Skills the reason a student (details supplied) at a school in County Clare has been refused access to a reader for the leaving certificate. [8120/11]

59. **Deputy Timmy Dooley** asked the Minister for Education and Skills the reason a student (details supplied) in County Clare has been refused a waiver from the assessment of spelling, grammar and punctuation language subjects. [8121/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 58 and 59 together.

The State Examinations Commission has statutory responsibility for operational matters relating to the certificate examinations including organising the holding of examinations, determining procedures in places where examinations are conducted including the supervision

of examinations and making arrangements for the marking of work presented for examination. The Commission operates a scheme of reasonable accommodation for certain students with special needs who are sitting the examinations. In view of this I have forwarded your query to the State Examinations Commission for direct reply to you.

### **Special Educational Needs**

60. **Deputy Joanna Tuffy** asked the Minister for Education and Skills his plans regarding maintaining the number of special needs assistants in schools; and if he will make a statement on the matter. [8124/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** 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, the fiscal position is extremely difficult. This country is effectively in receivership. It is necessary to ensure that educational services are delivered within the resources available. I intend to prioritise and support special educational services. However, I cannot re-visit the previous Government's decision to place a cap on the number of posts available under the Special Needs Assistant (SNA) scheme. This number is 10,575 whole time equivalent (WTE) posts. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. It also represents continual increases in the number of SNAs over recent years. For example, there were 10,543 WTE SNA posts in place at the end of 2010 and 10,342 at end 2009. It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

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. The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

My Department and I will be glad to consider any suggestions from school management or parent representative organisations as to how the allocation of SNA resources can best be managed within the context of the overall limit on SNA numbers established. In this regard I am committed to making whatever improvements are possible to the resource allocation system. We all have to understand the legacy of economic mismanagement which the last government gave to this country.

### **Enterprise Support Services**

61. **Deputy Michael Creed** asked the Minister for Enterprise, Trade and Innovation if he will provide details of the proposals for State guaranteed loans to small business; the criteria envisaged for eligibility for those loans; and if he will make a statement on the matter. [8116/11]

**Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton):** The introduction of a temporary, partial credit guarantee scheme as provided for in the Programme for Government was discussed by the Government on Tuesday last and is currently under active consideration. It is important, however, that any new initiative complements, rather than substitutes,



[Deputy Richard Bruton.]

the main banks' lending commitments and activities under the recapitalisation packages and that they would represent value for money from the taxpayer's perspective.

I would envisage that any scheme would be closely targeted at specific market failures and that it would impact on 2%-4% of overall lending to the SME sector. The focus of any scheme would have to be on commercially viable businesses. The introduction of a temporary, partial credit guarantee scheme will require legislative backing and will have to be compatible with EU state aid obligations.

### Company Closures

62. **Deputy Maureen O'Sullivan** asked the Minister for Enterprise, Trade and Innovation his plans to support the printing industry here who are losing contracts due to under bidding from abroad which has led to several Irish printing companies going out of business. [8021/11]

**Minister for Enterprise, Jobs and Innovation (Deputy Richard Bruton):** The Paper, Print and Packaging (PPP) sector is made up of a number of sub-sectors. The Print sub-sector (comprising print, packaging and promotional print) is facing significant challenges with a drop in prices and demand in recent years. A number of factors are contributing to the challenges including overcapacity, change arising from the move from print to web-based services, the economic downturn and access to working capital.

The Irish Public procurement market for Paper, Print and Packaging is worth €120m annually. In 2009, the Government established the National Procurement Service (NPS) to centralise procurement on behalf of Government Departments, offices and agencies, including the procurement of printing services. That year, 95.6% of the value of NPS print contracts (amounting to approximately €6.8m) went to suppliers in the Republic of Ireland.

The Public Sector presents a large market opportunity for the Paper, Print & Packaging Sector and is taking steps to further facilitate access to contracts for SMEs. These include recent issuing by the Department of Finance in August 2010 of Circular 10/10: "*Facilitating SME participation in Public Procurement*".

These new guidelines include:

1. Reduced Threshold of €25,000 for inclusion of contract notifications on e-Tenders website.
2. An assurance that all criteria used will be appropriate and proportionate.
3. A reduced requirement for paperwork (such as accounts) at early stages of tendering.
4. An instruction that turnover and insurance levels would be set at proportionate levels.

In addition a print panel for small print requirements below €25,000 has been put in place by the NPS. All print companies who are interested in public sector work should apply to be included and details of this have recently been published. To date, 55 companies have applied to be included in the panel.

Print companies can register for inclusion in the print panel listing at [www.opw.ie/procurement/nationalprocurementservice/print](http://www.opw.ie/procurement/nationalprocurementservice/print)

### Redundancy Payments

63. **Deputy Joanna Tuffy** asked the Minister for Enterprise, Trade and Innovation if his attention has been drawn to any problems with employers using short-term lay-offs to avoid

paying redundancy payments under the Redundancy Payments Acts 1967-2007; his plans to address this anomaly; and if he will make a statement on the matter. [8031/11]

**Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton):** The Irish Congress of Trade Unions has drawn my Department's attention to certain concerns about the lay-off provisions under the Redundancy payments Acts 1967- 2007. Congress has been advised to bring any concerns that it has in this area to the attention of the Minister for Social Protection together with any supporting evidence. The Minister for Social Protection has responsibility for the Redundancy Payments Acts, which include the lay-off provisions, since 1 January of this year.

Complaints received about alleged abuse of the lay-off provisions by an employer can be lodged with the Employment Appeals Tribunal under the Minimum Notice and Terms of Employment Acts 1973 to 2001 and Redundancy Payments Acts (using Form T1A). I can advise the Deputy that additional resources have recently been allocated to the Tribunal in order to address the difficulties caused by the level of its current workload resulting in backlogs in cases being heard.

### **Innovation Taskforce**

64. **Deputy Eoghan Murphy** asked the Minister for Enterprise, Trade and Innovation his position in relation to the recommendations of the Innovation Taskforce. [8040/11]

**Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton):** The Programme for Government lists a significant number of targets for advancing the innovation economy. It is clear, also, that there are worthwhile initiatives deriving from the Innovation Task Force Report which should be taken forward on their own merits, which align with Government Programme objectives and can contribute to the strategic goal of creating and sustaining jobs.

I have, therefore, requested my Department to draw up an innovation agenda composed of the relevant targets drawn from the Programme for Government combined with key high level recommendations drawn from the ITF report. This will create an innovation agenda for priority action.

I am also reviewing the best mechanism to progress this agenda. I believe that there would be considerable merit in an Innovation Steering Group representative of relevant Government Departments and agencies, coupled with a significant private sector component, taking forward this renewed, refocused innovation agenda.

### **Departmental Staff**

65. **Deputy Michael Creed** asked the Minister for Enterprise, Trade and Innovation the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8087/11]

**Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton):** It has not been possible in the time available to compile all the information sought by the Deputy. My Department has, however, begun the process of collating the information requested and I will communicate with the Deputy as soon as the exercise has been completed.

### **Work Permits**

66. **Deputy Marcella Corcoran Kennedy** asked the Minister for Enterprise, Trade and Inno-

[ Deputy Marcella Corcoran Kennedy.]

vation if he will review an application for an employment permit in respect of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [8104/11]

**Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton):** 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 15th March 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 recognised 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*.

Furthermore, it appeared from the information submitted that the proposed employee was currently resident in the State without immigration permission.

An appeal in respect of this decision was received in my Department on the 30th March 2011. A decision is expected on this appeal in the next 1-2 weeks.

### Community Development

67. **Deputy Charlie McConalogue** asked the Minister for Social Protection the status of Tús community work placement initiative; and if she will make a statement on the matter. [8055/11]

**Minister for Social Protection (Deputy Joan Burton):** The Minister for Finance announced the introduction of a community work placement initiative for up to 5,000 persons in his Budget statement to Dáil Éireann on the 7th December 2010. The initiative, known as Tús, was launched on the 21st December 2010 and work on developing the necessary implementation structures has been underway since then. The aim of Tús is to provide short-term, quality work opportunities for those who are unemployed for more than a year. Promotion of Tús to potential work placement providers has been underway for some weeks as part of a process of identifying suitable work placements and local development companies are currently recruiting supervisory staff. The random selection of participants by the Department will commence shortly once the necessary arrangements have been put in place by the local development companies.

There are a number of significant differences between the operation of Tús and the community employment programme. In the main, these differences relate to the programmes' aims, participant selection, delivery, duration of engagement, and training requirements. The amount paid to participants on both programmes will be similar and participants will continue to maintain their entitlement to certain secondary benefits. Equally, participants will be required to work 19½ hours per week.

### Social Welfare Appeals

68. **Deputy Gerald Nash** asked the Minister for Social Protection the reasons for the delay in processing an application for half rate carer's allowance in respect of a person (details supplied) in County Meath; and if she will make a statement on the matter. [8060/11]

**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.

There was a 46% increase in the number of appeals received by the Social Welfare Appeals Office in 2009 when compared to 2008, which in itself was 27% greater than the numbers received in 2007. There was an increase of a further 25% in the number of appeals received in 2010. These increases have caused delays in the processing of appeals. In order to be fair to all appellants, oral hearings are arranged in strict chronological order.

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.

### EU Legislation

69. **Deputy Jack Wall** asked the Minister for Social Protection if she will raise the matter of the transgender community with her fellow Ministers in the EU; if there is any EU legislation that Ireland has not addressed in regard to this very important matter; if the committee set up to deal with the Supreme Court decision issued any information that it needed to reflect or investigate such legislation within the EU given the grave concern that the community has with the ongoing problems of completing the courts directive; if all other EU countries have now completed the legality of transgender communities; and if she will make a statement on the matter. [8069/11]

**Minister for Social Protection (Deputy Joan Burton):** The High Court has ruled that the State is in breach of its obligations under the European Convention on Human Rights in its failure to provide for the legal recognition of the acquired gender of transgendered persons. The State does, however, provide for some level of recognition as in the provision of passports, driving licences and in many official dealings with transgendered persons, including social welfare, healthcare and revenue matters.

Following the High Court decision the Government established the Gender Recognition Advisory Group in 2010 with the following terms of reference:—

“To advise the Minister for Social Protection on the legislation required to provide for legal recognition of the acquired gender of transsexuals. In particular, to propose heads of a bill to provide for:—

- The establishment of a process for legal recognition of the acquired gender of persons suffering from Gender Identity Disorder, who have made the transition from one gender to another.
- The establishment of a gender recognition register
- The granting of entitlement to marry in the legally recognised reassigned gender, and

[Deputy Joan Burton.]

- Any other provisions as may be deemed necessary consequent to the main provisions of the Bill.

The Group is made up of representatives of various Departments and Offices of State. The group has met on a number of occasions and has engaged in extensive consultation with a range of representative organisations and individuals with knowledge and expertise in the area, both in Ireland and abroad. Further consultation, research and discussion is required on the issues arising. I understand that the group hopes to report within a matter of weeks.

As far as the EU dimension is concerned, the State has not been found to have been in breach of any EU legislation on transgender recognition. I am not aware of any information issued or investigated by the Gender Recognition Group as regards EU legislation, as I am not yet in receipt of the Group's report. I am aware that the European Parliament adopted a resolution on 17 June 2010 on assessment of the results of the 2006-2010 Roadmap for Equality between women and men, and forward-looking recommendations. The resolution contains a comprehensive set of recommendations covering equality issues, including the position of transgendered persons. The European Union Agency for Fundamental Rights (FRA) has taken an active role in the area of gender equality and has published two studies, one in 2008 containing a legal analysis of issues, and an update on the 2008 position in 2010. In the 2008 report, the FRA identified Ireland, Luxembourg, Latvia and Malta as not having fully complied with the requirements for legal recognition of transgendered persons. The report states that legal recognition was generally available in the other Member States, although the approach varies from state to state. The 2010 report noted the decision of the High Court in Ireland and stated that proposals for new legislation are now expected. In light of the active roles of the European Parliament and the FRA in the area of transgender equality, I do not consider it necessary to raise the matter with fellow Ministers in the EU at this time.

The Programme for Government contains a commitment to provide for the legal recognition of transgender persons. The report of the Gender Recognition Advisory Group will make recommendations as to the legislation required to provide for such recognition and it is my intention that legislation will be proposed as soon as practicable, following receipt of the report.

### Departmental Staff

70. **Deputy Michael Creed** asked the Minister for Social Protection the number of staff employed directly in her Department in 1995, 2000, 2005 and 2010; if she will provide details regarding the numbers in each Civil Service grade for the same years; and if she will make a statement on the matter. [8093/11]

**Minister for Social Protection (Deputy Joan Burton):** The number of full-time equivalent posts filled in the Department at 1 January 1995, 1 January 2000, 1 January 2005 and 1 January 2010 is broken down, by grade, in the following table:

Breakdown, by grade, of full-time equivalent posts filled in the Department of Social Protection

Grade	1995	2000	2005	2010
Secretary General	1	1	1	1
Deputy Secretary	0	1	1	1
Assistant Secretary	5	5	6	3
Chief Appeals Officer	1	1	1	1
Deputy Chief Appeals Officer	1	1	1	1

Grade	1995	2000	2005	2010
Chief Medical Advisor	1	1	1	1
Deputy Chief Medical Advisor	1	1	1	1
Principal	43	61	64.8	64.8
Assistant Principal	181.5	182	212.5	201.2
Administrative Officer	2	8	10	11.8
Higher Executive Officer	521.5	557	612.6	620.1
Executive Officer	572.5	722.5	728.6	831.3
Staff Officer	450	421.5	453.6	568.8
Clerical Officer	1,359.5	1,397	2,059	2,309.2
Clerical Assistant	981.5	619	—	—
Visually Impaired Telephonist	10	12.5	—	—
Paperkeeper	27	25	—	—
Services Grades	142	134	132.3	117
<b>Total</b>	<b>4,300.5</b>	<b>4,150.5</b>	<b>4,285.4</b>	<b>4,733.2</b>
<i>Family Mediation Service</i>				
Service Co-ordinator		1		
Area Co-ordinator		4		
Mediator		5		

It should be noted that (i) following the Civil Public and Services Union restructuring agreement, the grades of Paperkeeper, Visually Impaired Telephonist, Clerical Assistant and Clerical Officer were amalgamated to a new Clerical Officer grade; (ii) prior to the establishment of the Family Support Agency in May 2003 the staff of the Family Mediation Service were members of staff in this Department; (iii) the figures provided for principals include the Department's directors and medical assessors; and (iv) the Assistant Principal figures include the Department's professional accountants.

### Social Welfare Appeals

71. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she has studied the decision of the appeals officer in his decision to withdraw jobseeker's allowance in respect of a person (details supplied) in County Kildare, with particular reference to the evidence adduced at the oral hearing, whereby the actual evidence submitted by the applicant completely refuted the assertions of the investigating officer; if she will now facilitate a full review of the case by a different officer, in view of the fact that an appeals officer decision is final in the absence of new evidence; if her attention has been drawn to the fact that the value of the review assessed in this case was at least seven times the actual value, and that this was conveyed to the appeals officer; if she has satisfied herself that the principles of due process and natural justice have been served; if her attention has been drawn to the consequent hardship caused to the family in this instance; and if she will make a statement on the matter. [8105/11]

**Minister for Social Protection (Deputy Joan Burton):** As I said in response to Question No. 55 of 24 March last, and during the Adjournment debate of the same date, this case is being re-investigated for entitlement to jobseeker's allowance. A social welfare inspector will call to the person concerned next week. In the meantime, she is receiving supplementary welfare allowance at a rate of €278.40 per week and mortgage interest subsidy of €887.33 per month.

### Social Welfare Benefits

72. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection when a decision will issue on a carer's allowance application in respect of a person (details supplied) in County Offaly; and if she will make a statement on the matter. [8115/11]

**Minister for Social Protection (Deputy Joan Burton):** On 16 September 2010, the person concerned was refused carer's allowance on the grounds that the Department's medical assessor had expressed the opinion that the care recipient is not so disabled as to require full-time care and attention as prescribed in regulations. She was notified of this decision, the reason for it and of her right to appeal to the social welfare appeals office. Representations were sent in on her behalf and forwarded to the appeals office on the 9 March 2011. The appeals office will contact her directly if an appeal is opened in this case.

### Alternative Energy Projects

73. **Deputy Robert Dowds** asked the Minister for Communications, Energy and Natural Resources, notwithstanding the publication of the Geothermal Energy Development Bill, the steps he is undertaking to exploit geothermal energy sources here. [8074/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The general scheme of a Geothermal Energy Development Bill was published in July of last year. This is a new area of legislative intervention and a significant support to the sector. In line with the programme for Government, it will provide considerable security of tenure to potential investors. The Bill sets out an approach to licensing exploration for, and exploitation of, geothermal energy, which is modelled on the approach taken in respect of minerals exploration and development, but also deals with a range of ancillary issues such as entry onto land, etc. Small-scale geothermal technologies are already included in the greener homes scheme as currently operated by the SEAI.

### Departmental Staff

74. **Deputy Michael Creed** asked the Minister for Communications, Energy and Natural Resources the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each Civil Service grade for the same years; and if he will make a statement on the matter. [8083/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Department of Communications, Energy and Natural Resources was established in June 2007. At the end of December 2007, the total number of staff in the Department was 339. The following table sets out the staff numbers in each grade on 31 December 2010:

Grade	Number of Staff
Secretary General	1
Deputy Secretary General	1
Assistant Secretary	3
Principal Officer	16
Assistant Principal Officer	35.5
Administrative Officer	4
Higher Executive Officer	41.5
Executive Officer	47.5
Staff Officer	1.5

Grade	Number of Staff
Clerical Officer/Typist	48
Services Officer	6.5
Service Attendant	1
Storekeeper	1
Chief Technical Advisor (Energy)	1
Director of Communications	1
Senior Laboratory Technician	1
Laboratory Technician	2
Staff Engineer	2
Assistant Staff Engineer	1
Executive Engineer	2
Assistant Director of GSI	1
Principal Geologist	3
Senior Geologist	10.5
Super Cartography	4.5
Assistant Super Cartography	2
Chief Super Mapping	2
Petroleum Exploration Specialist	2
Professional Accountant Grade 1	1
Geologist	5.5
Legal Advisor	1
Geological Assistant	6
Technical Assistant	1
Financial Adviser	1
Engineer in Communications	1
Adviser to Minister of State	1
Personal Assistant to Minister	1
Personal Secretary to Minister	1
Press Advisor to Minister	1
<b>Total</b>	<b>263</b>

### Offshore Exploration

75. **Deputy Michael McCarthy** asked the Minister for Communications, Energy and Natural Resources his plans to encourage more private sector companies to invest in oil and gas exploration in view of the low success rate of previous contracts to date; and if he will make a statement on the matter. [8118/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Ireland competes with countries in Europe and further afield to attract mobile international exploration investment. To that end, Ireland maintains a licensing regime that appropriately reflects both the risks and rewards of investing in petroleum exploration in the Irish offshore, while ensuring the State receives a fair share of profits where a commercial discovery is made. My Department also encourages exploration investment through an active and targeted promotion campaign and by guiding and supporting petroleum research projects that deepen knowledge of the petroleum potential of the Irish offshore.

As part of an ongoing strategy to increase the level of exploration activity, my Department is currently running a licensing round that is deliberately structured towards attracting new



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exploration companies and new exploration investment to Ireland. The Atlantic Margin 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. The licensing round aims to bring a new momentum to the level of exploration activity off the coast of Ireland and includes all of Ireland's major Atlantic basins.

### **Rental Accommodation Scheme**

76. **Deputy Brendan Ryan** asked the Minister for the Environment, Heritage and Local Government if he will consider changing one of the conditions of the rental accommodation scheme, whereby a local authority housing applicant may not avail of the scheme if he or she is not in receipt of rent supplement. [8046/11]

**Minister of State at the Department of the Environment; Heritage and Local Government (Deputy Willie Penrose):** Households that are assessed by a housing authority to have a housing need have a range of housing supports available to satisfy their need regardless of whether or not they are in receipt of rent supplement. Included in these supports are availability arrangements, similar to rental accommodation scheme arrangements, under the social housing leasing initiative. As with the rental accommodation scheme, one of the main features of the scheme is that local authorities in sourcing accommodation make use of the private and voluntary sector and enter into contractual arrangements to secure medium to long-term availability of rented accommodation. Policies on assessment of housing needs and setting of allocations are matters for individual local authorities.

### **Water and Sewerage Schemes**

77. **Deputy Michael McCarthy** asked the Minister for the Environment, Heritage and Local Government the position regarding the proposed new sewerage scheme for an area (details supplied) in County Cork; the stage of the project; and if he will make a statement on the matter. [8049/11]

**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 Courtmacsherry/Timoleague Sewerage Scheme is included among the contracts to start during the life of the programme.

My Department approved a revised Preliminary Report for Phase 1 of this scheme in December 2010. Approval of the Preliminary Report by my Department allows the Council to procure consultants to undertake the preparation of contract documents for the scheme.

### **Local Authority Powers**

78. **Deputy Kevin Humphreys** asked the Minister for the Environment, Heritage and Local Government the specific statutory provisions which confer on local authorities a power to make by-laws; the nature of the by-laws that may be made in each case; and if he will make a statement on the matter. [8064/11]

**Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan):** Part 19 of the Local Government Act 2001 deals with by-laws.

Section 199 (1) of the 2001 Act provides that a local authority may make a by-law for or in relation to the use, operation, protection, regulation or management of any land, services, or any other matter provided by or under the control or management of the local authority, whether within or without its functional area or in relation to any connected matter.

The power to make by-laws is a reserved function under Section 199(5) of the Act. Section 199(7) provides that the appropriate Minister may by regulation prescribe matters or classes of matters in respect of which local authorities are not entitled to make a by-law.

### Departmental Staff

79. **Deputy Michael Creed** asked the Minister for the Environment, Heritage and Local Government the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each Civil Service grade for the same years; and if he will make a statement on the matter. [8088/11]

**Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan):** The Human Resource Management System (HRMS) for the Civil Service was introduced in 2002. The compilation of pre-2002 data would involve a disproportionate amount of time and work. For this reason, staff employed in this Department by civil service grade has been provided for the years 2002, 2005 and 2010. The information is set out in the table.

Following the reconfiguration of the heritage function in 2002-2003, my Department had assumed responsibility also for a number of State Industrial employees which were mainly based in the National Parks. Records available show that industrial employees totalled 115 full-time equivalent (FTE) permanent staff in 2005 and 110.1 FTE permanent staff in 2010. These staff include Guides, Craft Workers and Office Administration staff. In addition, the Department recruits a variable number of seasonal staff annually (subject to sanction from the Department of Finance) mainly for guiding and park maintenance work. There were approximately 50 seasonal staff employed in 2005 and 70 seasonal staff in 2010.

Grade	2002	2005	2010
	Total FTE	Total FTE	Total FTE
ADVISORY COUNSEL GRADE 3	N/A	N/A	1.00
ADMINISTRATIVE OFFICER	17.50	9.00	8.60
ARCHAEOLOGIST	33.20	27.70	23.73
ARCHITECT	8.00	3.00	2.73
ARCHITECTURAL ADVISOR	N/A	N/A	1.00
ARCHITECTURAL ASSISTANT GRADE 1	7.00	1.00	2.50
ARCHITECTURAL ASSISTANT GRADE 2	2.00	1.00	N/A
ARCHITECTURAL/ENGINEERING INSPECTOR	19.00	11.00	13.00
ASSISTANT SECRETARY	5.00	6.00	6.00
ASSISTANT AUDITOR ENVIRONMENT	2.00	10.00	11.60
ASSISTANT FIRE ADVISOR	3.00	4.00	1.00
ASSISTANT DIRECTOR MET EIREANN SERVICES	2.00	2.00	N/A
ASSISTANT LIBRARIAN	1.00	N/A	N/A
ASSISTANT PRINCIPAL OFFICER	104.50	104.83	92.23
ASSISTANT STAFF ENGINEER	1.00	1.00	1.00
ASSISTANT PARKS SUPERINTENDENT	5.00	N/A	N/A
AUDITOR ENVIRONMENT	19.50	18.60	17.80
BOTANICAL ASSISTANT	1.80	N/A	N/A

[Deputy Phil Hogan.]

Grade	2002	2005	2010
BUILDING INSPECTOR	2.00	N/A	N/A
BUILDING SURVEYOR	N/A	N/A	1.00
CHIEF ARCHAEOLOGIST	1.00	1.00	1.00
CIVILIAN DRIVER	2.00	3.00	2.00
SUPERINTENDENT OF CLEANERS	1.00	N/A	N/A
CLEANER	9.00	7.00	2.81
CLERICAL OFFICER	261.32	225.91	133.41
CONSERVATION RANGER	84.60	74.60	76.00
CRIERS TO CIRCUIT COURT JUDGE	N/A	N/A	3.00
DATA ENTRY	4.00	3.00	N/A
DIRECTOR BOTANICAL GARDENS	1.00	N/A	N/A
DIRECTOR METEOROLOGICAL SERVICES	1.00	1.00	1.00
DISTRICT CONSERVATION OFFICER	9.00	16.00	15.60
DISTRICT WORKS MANAGER	5.00	N/A	N/A
ECOLOGIST	1.00	1.00	N/A
ENGINEER GRADE 3 MECH/HEATING/ELEC	10.00	3.00	4.00
ENGINEER GRADE 1 CIVIL	7.00	5.00	5.00
ENGINEER GRADE 2 CIVIL	3.00	1.00	1.00
ENGINEER GRADE 3 CIVIL	N/A	N/A	3.00
ENGINEERING DRAUGHTSPERSON	3.00	N/A	N/A
EXECUTIVE OFFICER	176.66	173.90	138.90
GEOGRAPHICAL INFO SYSTEMS CO-ORDINATOR	2.00	2.00	N/A
GIS MAPPING TECHNICIAN	N/A	3.00	N/A
GENERAL OPERATIVE	2.00	1.00	N/A
HEAD SERVICES OFFICER	N/A	N/A	1.00
ASSISTANT HEAD SERVICES OFFICER	1.00	N/A	N/A
HIGHER EXECUTIVE OFFICER	117.80	126.93	130.83
HOUSING INSPECTOR	13.00	7.00	5.00
INSPECTOR & ENGINEER FISHERIES	N/A	N/A	1.00
INFORMATION SCIENTIST	1.00	N/A	N/A
INSPECTOR GRADE 1	N/A	4.00	10.00
INSPECTOR GRADE 2	1.00	N/A	N/A
INSPECTOR OF AUDITS	1.00	1.00	1.00
INSPECTOR PLANNING	2.00	N/A	2.00
LABORATORY TECHNICIAN	1.00	N/A	N/A
LEGAL ADVISOR	1.00	1.00	N/A
LIBRARIAN	1.00	N/A	1.00
METEOROLOGICAL OFFICER	97.60	89.30	59.50
METEOROLOGIST	38.80	35.20	32.60
PARK SUPERINTENDENT	N/A	N/A	1.00
PERSONAL ASSISTANT	1.00	1.00	1.00
PERSONAL ASSISTANT MINISTER OF STATE	2.00	1.00	1.00
PERSONAL ASSISTANT MINISTER OF STATE	1.00	1.00	N/A
PERSONAL SECRETARY	3.00	1.00	1.00
PERSONAL SECRETARY MINISTER OF STATE	N/A	1.00	1.00
PRESS OFFICER	1.00	1.00	N/A
PRINCIPAL OFFICER	34.00	38.80	29.80

Grade	2002	2005	2010
PRINCIPAL ADVISER	5.00	6.00	4.00
PRINCIPAL AUDITOR	3.00	5.00	7.00
PRINCIPAL METEOROLOGICAL OFFICER	8.00	9.00	9.00
PROFESSIONAL ACCOUNTANT GRADE 1	N/A	1.00	1.00
QUANTITY SURVEYOR GRADE 1	N/A	N/A	3.00
SECRETARY GENERAL	1.00	1.00	1.00
SENIOR ADVISER	12.00	12.80	13.00
SENIOR ARCHAEOLOGIST	5.00	5.00	6.73
SENIOR ARCHITECT	6.00	4.00	4.00
SENIOR ASSISTANT FIRE ADVISOR	N/A	N/A	1.00
SENIOR BUILDING INSPECTOR	7.00	8.00	2.00
SENIOR ENGINEER/DRAUGHTPERSON	1.00	1.00	N/A
SENIOR METEOROLOGICAL OFFICER	52.00	55.00	56.00
SENIOR METEOROLOGIST	8.00	8.00	7.00
SENIOR PHOTOGRAPHER	1.00	1.00	1.00
SENIOR TECHNICAL ASSISTANT	2.00	2.00	1.00
SERVICES ATTENDANT	10.00	8.00	4.73
SERVICES OFFICER	32.00	29.00	27.80
SPECIAL ADVISOR	1.00	0.80	4.00
STAFF OFFICER	18.53	18.26	10.73
STATISTICIAN	N/A	N/A	2.00
SUPERVISING HOUSING INSPECTOR	6.00	9.00	9.00
SURVEY CONTROLLER	N/A	N/A	1.00
TECHNICAL GRADES LEVEL 4	4.00	1.00	N/A
VISUALLY IMPAIRED TELEPHONIST	2.00	0.30	1.80
WILDLIFE INSPECTOR GRADE 1	3.00	6.00	4.00
WILDLIFE INSPECTOR GRADE 2	18.73	13.00	17.00
WILDLIFE INSPECTOR GRADE 3	14.00	26.00	19.00
Total	1355.54	1259.93	1066.43

Note: Figures are provided on the basis of full-time equivalents.

### Local Authority Housing

80. **Deputy Tom Fleming** asked the Minister for the Environment, Heritage and Local Government his plans to introduce a fair loan scheme to enable local authority tenants to purchase their own homes under the terms and conditions of the new tenant purchase scheme introduced in the most recent budget. [8114/11]

**Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose):** The most recent tenant purchase scheme, provided for in the context of the 2011 budget, operates under the credit policy guidelines for local authority housing lending. These were made under the Housing (Local Authority Loans) Regulations 2009.

Under this protocol, all applicants are assessed according to the same criteria, and their applications subjected to the same scrutiny. It is desirable to make adequate lending provision available to local authority tenants who wish to avail of the tenant purchase schemes, while also adhering to prudent lending practices.

[Deputy Willie Penrose.]

I believe that the current regime is a fair scheme that adequately meets the needs of prospective borrowers, and facilitates participation in housing acquisition initiatives such as the tenant purchase scheme.

### **Garda Equipment**

81. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of additional Garda mountain bikes purchased in 2007, 2008, 2009, 2010 and to date in 2011; the cost of these bikes; and the name and address of the company that supplies the Garda Síochána with the mountain bikes. [8001/11]

84. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of mountain bikes allocated to each Garda station in the Dublin region; if the stations have requested additional mountain bikes; and, if so, the stations which requested the additional bikes. [8004/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 81 and 84 together.

Information on these questions has been requested from the Garda authorities and I will revert to the Deputy when it is to hand.

### **Crime Levels**

82. **Deputy Seán Kenny** asked the Minister for Justice and Equality the crime statistics for Garda stations (details supplied) in Dublin 5 for 2009 to date in 2011, inclusive. [8002/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics.

I have requested the CSO to provide statistics directly to the Deputy.

### **Liquor Licensing Laws**

83. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of pubs and nightclubs whose late night licence was objected to by gardaí in each Garda district of the Dublin region from 2007 to date in 2011, inclusive; and if he will make a statement on the matter. [8003/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Garda authorities that the following table shows the number of premises in each Garda Division within the Dublin Metropolitan Region (DMR) in respect of which An Garda Síochána lodged an objection against the issue of a special exemption order in each year from 2007 to 2010 and in 2011 to 13 April.

Number of premises in each Garda Division within DMR in respect of which An Garda Síochána lodged objection against issue of special exemption order 2007-2010 and 2011 to 13 April

Division	2007	2008	2009	2010	2011 (to 13 April)
DMR North Central	7	11	8	6	3
DMR South Central	11	11	12	7	1
DMR North	0	0	0	0	0
DMR South	1	1	0	0	0
DMR East	0	0	0	0	0
DMR West	1	1	0	0	0

*Question No. 84 answered with Question No. 81.*

### Proposed Legislation

85. **Deputy Eoghan Murphy** asked the Minister for Justice and Equality when he will bring forward the gambling Bill in view of the fact that the betting amendment Bill is expected to be published during the summer session and that both Bills are closely interlinked in terms of properly licensing and regulating gambling in this country. [8038/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The purpose of the Betting (Amendment) Bill 2011, to be published by the Minister for Finance, is to bring internet and telephone betting within the licensing provisions of the Betting Act, 1931. Provision has already been made in the Finance Act 2011 to tax such forms of betting, subject to the adoption of a licensing procedure.

The Deputy may also be aware that a document entitled *Options for Regulating Gambling* was published last December, as part of a review of gambling being conducted by my Department. The previous Government declined to adopt a policy on gambling arising from that review. It falls to me, therefore, to consider whether the proposals outlined in *Options for Regulating Gambling* represent the best choices in terms of settling a revised regulatory architecture for gambling, into the future. Any legislative proposals arising from my examination and subsequent discussions at Cabinet, will follow in the normal course.

### Departmental Staff

86. **Deputy Michael Creed** asked the Minister for Justice and Equality the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8092/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The number of whole-time equivalent staff in my Department, broken down by grade, for each of the years referred to by the Deputy is set out in the following table. As well as the usual mix of administrative grades found across the Civil Service, my Department has a range of professional and technical grades and these staff have been included under the heading “other” in the table.

[Deputy Alan Shatter.]

Grade	Year End 2010	Year End 2005	Year End 2000	Year End 1995
Principal Officer and above	9	12	10	4
Principal Officer	67	61	50	15
Assistant Principal Officer	129	137	125	46
Higher Executive Officer/Administrative Officer	189	246	182	57
Executive Officer	316	321	258	72
Staff Officer	25	154	69	33
Clerical Officer	574	1346	890	243
Other	505	707	511	285
<b>Total</b>	<b>1814</b>	<b>2984</b>	<b>2095</b>	<b>755</b>

The structure of my Department has changed and evolved over the years in question. Consequently, I would point out to the Deputy that the numbers and breakdown for each of the years above are not directly comparable with each other.

87. **Deputy Michael Creed** asked the Minister for Defence the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8085/11]

**Minister for Defence (Deputy Alan Shatter):** I have set out in the following table the number by grade and rank of civil servants in the Department:

Grade Title	Number of Staff			
	1995	2000	2005	2010
Secretary General	1	1	1	1
Assistant Secretary	2	2	2	2
Head of Corporate Services/Director Principal	1	1	1	1
Principal	8	11	12.8	11.6
Chief Technical Officer	1	1	0	0
Professional Accountant	1	1	0	1
Assistant Principal	25	25	30.5	29.7
Technical Officer Grade II	2	2	0	0
Higher Executive Officer	58	64.5	55.73	50.26
Administrative Officer	0	0	0	2
Properties Officer	1	1	1	0
Assistant Properties Officer	1	1	0	0
Executive Officer	58.5	76	70.35	68.23
Examiner of Maps	1	1	1	0
Senior Technical Assistant	1	0	0	0
Staff Officer	30.5	36.5	28.5	26.9
Clerical Officer	131.5	163	142.43	113.3
Clerical Assistant	66	0	0	0
		Amalgamated with CO grade		

Grade Title	Number of Staff			
	1995	2000	2005	2010
Paperkeeper	3	0	0	0
		Amalgamated with CO Grade		
Storeman	1	1	1	1
Storekeeper	0	0	0	0
Visually Impaired Telephonists	4	4	0	0
		Regraded as COs		
Head Services Officer	1	1	1	0
Services Officer	14	14	15	13.8
Services Attendant	1	3	2	1
Nightwatchman	5	4	1	1
Superintendent of Cleaners	1	1	1	1
Cleaner	16	14	6	4
Special Advisor to Minister			1	1
Press Advisor to Minister			1	1
Personal Assistant to Minister			1	1
Personal Secretary to Minister			1	1
Total	435.5	429	377.31	332.79

The change and modernisation process in defence in recent years has been accompanied by a reduction in numbers of civil servants. The numbers in the Department have further reduced in 2011.

Developments in the international security and defence environment and emergency planning have resulted in very significant resource demands on the Defence organisation in this period. This has been successfully addressed within the reduced numbers.

The Department continues to seek further savings within the reduced provision while maximising services.

### Grant Payments

88. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will received their REP scheme payment; and if he will make a statement on the matter. [7998/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named commenced in REPS 4 in January 2010 and was subject to an inspection and subsequent audit. Issues arising are currently being finalised and his payment will issue shortly.

89. **Deputy Dan Neville** asked the Minister for Agriculture, Fisheries and Food the position regarding penalties applied after a farm inspection in respect of a person (details supplied) in County Limerick; if this file will be reviewed in view of the fact this person feels that the penalties imposed should only be 5%; and if he will make a statement on the matter. [8030/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** An application under the Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on the 15th of May 2006.



[Deputy Simon Coveney.]

This application was selected for a Cross Compliance inspection.

During the course of the inspection breaches were recorded relating to three separate Statutory Management Requirements (SMRs). Breaches of Regulations in relation to the storage of livestock manure resulted in a 3% penalty under Nitrates. Issues were also recorded in relation to Food Hygiene, specifically with the maintenance and operation of a dairy/milking parlour which led to a penalty of 3% being recorded under that SMR. Finally, extensive breaches relating to the Identification and Registration of Bovines were recorded. These breaches involved 97 animals and concerned the Herd Register, Passports, Tagging and failure to notify movements to the Cattle Movement and Monitoring System. These breaches were deemed to be intentional and a 20% penalty was recorded.

As prescribed by the Regulations governing the Cross Compliance system, multiple breaches recorded as negligent are added together to a maximum total of 5%, however breaches recorded as intentional are administered separately with any penalties resulting from intentional breaches being added to the total negligence penalty figure. This resulted in an overall Cross Compliance penalty of 25% being recorded in this case. The person named was informed of this decision and of his right to seek a review. He was also informed of his right to appeal the outcome of a review to the Independent Agriculture Appeals office. To date, no request for a review has been submitted, however, your question will now be taken as a request for review which will now be carried out.

90. **Deputy Mattie McGrath** asked the Minister for Agriculture, Fisheries and Food when REP scheme payment will be finalised in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [8048/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named commenced REPS 4 in March 2009. He received his year 1 payment in January 2010. The first 75% of the year 2 payment was made on 7th April 2011. The remaining 25% will be paid over the next two weeks.

### Harbours and Piers

91. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Fisheries and Food the projected time line and provision of funding for a project (details supplied) in County Donegal; and if he will make a statement on the matter. [8056/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Greencastle harbour is owned by Donegal County Council and responsibility for the maintenance and development of the harbour rests with that local authority in the first instance.

My Department has, however, in recent years, project managed works on phase one of the Greencastle Harbour development project on behalf of Donegal County Council as well as providing funding.

Officials from Donegal County Council recently met with officials from my Department to explore mechanisms to advance the project. The officials from Donegal County Council agreed to consider the options, in consultation with their colleagues and revert at an early date.

Any proposal for funding submitted under the 2011 Fishery Harbours and Coastal Infrastructure Development Programme by Donegal County Council in relation to Greencastle will be considered in the context of available exchequer funding and competing national priorities.

### Grant Payments

92. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if grassland sheep scheme payment will issue to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [8062/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Under the 2010 Grassland Sheep Scheme, farmers were required to:

- maintain ewes;
- complete the Sheep Census return; and
- submit the SPS application form by the closing date of 17th May 2010.

While an application under the 2010 Single Payment Scheme and other area-based schemes was received from the person named on 12 May 2010, following validation it was found that while the person named had submitted the Sheep Census Return, as required, no breeding ewes were declared on the Census Return. Therefore, no payment is due under the Grassland Sheep Scheme to the person named.

### Milk Quota

93. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will provide details of the persons that sit on the independent panel which has been established for the purpose of assessing applications under the scheme for the allocation of milk quota to new entrants as announced in early 2011; and if he will make a statement on the matter. [8076/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The Scheme for the Allocation of Milk Quota to New Entrants was first introduced in 2009, repeated in 2010, and applications for the 2011 scheme closed last Friday, 8 April.

Applications that satisfy the eligibility criteria as set out in the detailed rules of the scheme are presented for assessment of the extent to which each applicant can demonstrate a real and long-term commitment to dairying.

As in previous years, a panel has been established for this purpose in the context of the 2011 scheme. The panel is required to recommend for approval those applications considered to provide the best evidence of a viable and sustainable enterprise, given the limited amount of quota available. The panel will be chaired by a former Director General of ICOS and will consist of three further members drawn from Teagasc and from my Department.

### Dairy Equipment Scheme

94. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if he will clarify the situation regarding the dairy equipment scheme as recently announced and specifically if, under the terms and conditions of the scheme, farmers who for reasons of early calving and the requirement to have modifications to their milking parlours completed prior to the detail of the scheme being published will be in a position to avail of the scheme; and if he will make a statement on the matter. [8077/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** It is a strict condition of all my Department's on-farm investment schemes that grant-aid shall not be provided in respect of works commenced or equipment purchased before written approval has issued to a

[Deputy Simon Coveney.]

farmer under the scheme concerned. Any work which has commenced prior to the introduction of the Dairy Equipment Scheme is therefore ineligible for grant-aid.

### Departmental Staff

95. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each Civil Service grade for the same years; and if he will make a statement on the matter. [8082/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Details of the overall (full-time equivalent) staffing levels in my Department at the end of the years referred to by the Deputy are as in Table 1 below:

Table 1 — Overall Staffing Levels at end 1995, 2000, 2005 and 2010

End-Year	Overall Staff Numbers (FTEs)
1995	4,004
2000	4,571
2005	4,441
2010	3,632

Table 2 provides a breakdown by grade of the full-time equivalent staffing numbers in my Department at the end -2005 and end- 2010. It was not possible to compile corresponding data in respect of 1995 and 2000 within the time available. It should be noted that the Department's functions have been amended occasionally since 1995 — most recently in 2007 when some fisheries functions and a corresponding 189 staff were added to the Department's remit.

Table 2: FTE Staff by grade in DAFF at end-2005 and end-2010

	2005	2010
<i>Grade Description</i>	FTE	FTE
Advisory Counsel Grade 3	0.0	1.0
Acting Harbourmaster	0.0	2.0
Agricultural Inspector	86.1	75.5
Administrative Officer	11.0	22.7
Area Superintendent	21.0	14.0
Asst Agricultural Insp Agric	81.6	103.2
Asst Librarian	1.0	0.0
Asst Principal	115.7	123.5
Asst Secretary	9.0	6.0
Chargehand	0.0	1.0
Chemist	3.0	2.0
Chief Analyst	1.0	1.0
Chief Inspector Agric	1.0	1.0
Chief Veterinary Officer	1.0	1.0
Civilian Driver	4.0	2.0
Cleaner	23.0	16.8
Cleaner Part- Time	14.0	9.0

	2005	2010
<i>Grade Description</i>	FTE	FTE
Clerical Off	1298.0	935.9
Craftsman	0.0	6.5
Dairy Produce Officer	10.0	4.0
Deputy Chief Analyst	3.0	2.0
Deputy Chief Inspector	2.0	1.0
Deputy Chief Veterinary Off	4.0	4.0
Deputy Director Vet. Research Labs.	1.0	0.0
Director Of Laboratories	0.0	1.0
District Superintendent	120.6	98.6
Driver Tester	0.0	4.0
Eng Grade 1 Civil	0.0	3.0
Engineer Grade 2 Civil	0.0	5.9
Engineer Grade 3 Civil	0.0	5.0
Executive Officer	486.5	440.0
Farm Foreman	4.0	4.0
Farm Worker	6.0	6.0
First Asst Solicitor Agric	3.0	2.0
Forestry Inspector Grade 1	5.0	4.0
Forestry Inspector Grade 2	12.0	12.0
Forestry Inspector Grade 3	19.0	16.0
General Operative	5.0	28.8
Harbour Constable	0.0	2.0
Harbour Master	0.0	2.0
Head Laboratory Attendant	1.0	1.0
Head Services Officer	1.0	1.0
Higher Executive Officer	262.9	249.6
Higher Seed Analyst	3.0	2.8
Industrial Foreman	0.0	5.0
Inspector & Eng Fishery	0.0	1.0
Inspector Grade 1	1.0	1.0
Inspector Grade 2	19.0	5.8
Laboratory Technician/Analyst	56.9	60.0
Laboratory Attendant Ag&Mar	34.0	29.0
Librarian	1.0	1.0
Lorry Driver	2.0	1.5
Poultry Officer	7.0	4.0
Principal	33.0	32.0
Professional Accountant Grade 1	2.0	1.0
Quality Manager	0.0	3.0
Research Officer	19.0	20.4
Secretarial Assistant (Non Contract)	4.0	2.0
Secretary General Agriculture	1.0	1.0
Seed Analyst	13.6	12.3
Senior Auditor	0.0	1.0
Senior Dairy Produce Officer	6.0	2.0
Senior Inspector	17.0	12.0
Senior Laboratory Analyst	44.9	41.9

[Deputy Simon Coveney.]

	2005	2010
<i>Grade Description</i>	<i>FTE</i>	<i>FTE</i>
Senior Lab Tech Class 1	0.8	0.0
Senior Legal Clerk	1.0	0.0
Senior Research Officer	15.6	9.8
Senior Seed Analyst	1.0	1.0
Senior Serological Assistant	2.0	1.0
Senior Superintend Vet Insp	11.0	9.0
Senior Surveyor	1.0	1.0
Serological Assistant	32.1	30.3
Services Attendant	7.0	5.0
Services Officer	41.8	36.5
Staff Officer	188.1	81.2
Stockman	1.0	1.0
Superinten Sen Research Off	4.0	4.0
Superintendent Surveyor	1.0	1.0
Superintending Vet Insp	53.0	47.0
Supervising Poultry Officer	1.0	0.0
Supervising Serological Asst	11.0	8.8
Supervisory Agric Off	290.3	242.5
Technical Agricultural Off	658.2	472.3
Technical Grades Level 4	0.0	5.0
Temporary Ass. Harbourmaster	0.0	1.0
Tractor Driver	10.0	10.0
Veterinary Inspector	229.9	203.5
	4,441.4	3,631.7

### Grant Payments

96. **Deputy Michael Lowry** asked the Minister for Agriculture, Fisheries and Food the reasons a person (details supplied) in County Tipperary has not received their single farm payments for the past number of years; the reasons for the delays in making a decision on a case; and if he will make a statement on the matter. [8100/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The person named has been fully paid in respect of applications lodged under the Single Payment Scheme. Applications under the Single Payment Scheme were received from the person named in respect of each of the years 2005, 2006, 2007, 2008, 2009 and 2010, with full payment issuing in respect of each year.

### Animal Welfare

97. **Deputy John McGuinness** asked the Minister for Agriculture, Fisheries and Food the way individual farmers were made aware of their obligations under the welfare of other animals under statutory management requirement, SMR 18, section 8; if the possible sanctions for non-compliance were outlined and if so, the way individual farmers were informed; and if he will make a statement on the matter. [8107/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Three information booklets on cross-compliance were published and issued to all farmers in early 2005, August 2006 and August 2007. Furthermore a guide to the Single Payment Scheme was published in March 2011 in the Irish Farmers Journal reiterating farmers obligations in relation to cross compliance including Statutory Management Requirement number 18 concerning the protection of animals kept for farming purposes. These guides have detailed the Cross-Compliance requirements under the various EU regulations as well as giving information on inspection controls on farms and the sanctions applicable for non-compliance. Information on Cross Compliance was also provided by the Department at various Single Payment Scheme meetings with farmers.

Article 12 of Council Regulation 73/2009 governing the Single Payment Scheme provides that Member States shall operate a system of advising farmers on land and farm management to be known as “the farm advisory system”(FAS). FAS was first introduced in Council Regulation 1782/2003 with a requirement that the system must be in place by 1 January 2007. The system is to be operated by one or more designated authorities or by private bodies. The advisory activity must cover at least the Statutory Management Requirements (SMRs) and Good Agricultural and Environmental Condition associated with cross-compliance. The regulation also provides that farmers may participate in the system on a voluntary basis and that Member States may determine in accordance with objective criteria the priority categories of farmer that should have access to the FAS.

Ireland has implemented FAS by approving existing Teagasc and Private planners as FAS advisors with effect from 1 January 2007. Training workshops have been arranged for all approved FAS advisors and, with effect from 2009 Agricultural Science graduates who were not REPS planners have been approved as FAS advisors and received appropriate training. In Ireland some 463 Teagasc and Private REPs planning agencies have been designated since 1 January 2007 as approved Farm Advisory System Agencies following their attendance at a series of Cross Compliance Training Courses. A list of these approved agencies is available on the Department’s website [www.agriculture.gov.ie](http://www.agriculture.gov.ie). A copy of the presentations given at the training courses referred to is available on the above website. The training courses covered compliance with SMR 18 concerning the protection of animals kept for farming purposes.

### Personal Debt

98. **Deputy Seán Ó Fearghail** asked the Minister for Community, Equality and Gaeltacht Affairs the consideration she has shown to the recent findings of a study into financial exclusion and over indebtedness in Irish households commissioned by her; and the measures she will take to tackle over-indebtedness. [8097/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** My Department commissioned the study *Financial Exclusion and Over-indebtedness in Ireland* from the Economic and Social Research Institute, as part of its remit to monitor poverty under the *National Action Plan for Social Inclusion 2007-2016*. The study uses data specially collected in the 2008 Survey on Income and Living Conditions.

Financial exclusion is a relatively new policy concept in Ireland and reflects the increasing importance of financial services in everyday life. The study explores four dimensions of financial exclusion: access to a bank current account, access to credit, ability to save and access to housing insurance. The study shows that:

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- 20 per cent of Irish households do not have access to a bank current account;
- half of households are unable to save;
- a quarter of households do not have home insurance;
- a tenth of households do not have access to credit; and
- low income groups have higher levels of financial exclusion.

Household over-indebtedness was a second theme in this study. Over-indebtedness refers to a persistent inability to meet essential living expenses and debt repayments. Over five per cent of households are over-indebted, while eight per cent have persistent arrears for utility bills, housing payments and personal loans. Low income, rather than high consumption, is the main factor in over-indebtedness, along with a sudden income drop.

Financial exclusion and over-indebtedness are key policy issues in the current economic situation. The *Government for National Recovery 2011-2016* proposes a range of measures which can help address these issues including more support for homeowners with distressed mortgages, a strengthened role for the Money Advice and Budgeting Service and a strategy to tackle fuel poverty.

The findings of the research were discussed at a national conference attended by key stakeholders in March 2011. In addition, arrangements have been made to disseminate the findings of the study to all Government Departments with a relevant policy remit, including the Financial Inclusion Steering Committee, convened by the Department of Finance. The research report has been placed in the Oireachtas library and is available on-line at [www.pobail.ie](http://www.pobail.ie), along with a short research briefing in English and Irish.

### **Community Development**

99. **Deputy John O'Mahony** asked the Minister for Community, Equality and Gaeltacht Affairs when funding will be available for a scheme to support national organisations in the community and voluntary sector under the White Paper; and if she will make a statement on the matter. [8016/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** The Scheme to Support National Organisations in the Community and Voluntary Sector commenced in 2008 with the aim of providing multi-annual funding to national organisations which provide coalface services to disadvantaged target groups. The three-year contracts were concluded at the end of 2010.

On 16 December 2010, applications were invited under a new round of funding for the Scheme to Support National Organisations in the Community and Voluntary Sector. This new round of funding will replace the previous Scheme and will provide multi-annual funding (subject to funding being available) to national organisations towards core costs associated with the provision of services. The closing date for applications was 24 January 2011.

On 2 December 2010, organisations funded under the previous Scheme were offered an extension to their contract until 31 March 2011. In light of the changes currently underway in relation to Departmental functions, I have decided to roll-over the current interim funding for a further month to allow sufficient time for decisions on the allocations under the new scheme

to be made. The relevant organisations were informed of this revised timescale on 25 March 2011.

### Departmental Staff

100. **Deputy Michael Creed** asked the Minister for Community, Equality and Gaeltacht Affairs the number of staff employed directly in her Department in 1995, 2000, 2005 and 2010; if she will provide details regarding the numbers in each civil service grade for the same years; and if she will make a statement on the matter. [8084/11]

**Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald):** As the Deputy will be aware, my Department in its current configuration was established in June 2002. The number of staff (whole time equivalents) employed directly in my Department on 31 December 2005 and 31 December 2010 are set out in the table below. It should be noted that the number of staff employed directly by my Department increased significantly in 2010 following the transfer to my Department of

- the Equality, Human Rights and Integration functions from the Department of Justice and Equality; and
- the Social Inclusion and Family Policy functions from the Department of Social Protection.

For completeness, I should clarify that the staff numbers reflected in the table below include civil servants employed by my Department and seconded to the Equality Authority, the Equality Tribunal, Oifig an Coimisinéir Teanga and the Office of the Commissioners of Charitable Donations and Bequests for Ireland.

Grade	2005	2010
Secretary General	1	1
Assistant Secretary	3	4
Director of Translations	0	1
Director of Irish	0	1
Chief Executive	0	1
Principal Officer	14	23.8
Legal Adviser	0	1
Solicitor	0	1.8
Senior Agriculture Inspector	1	3
Assistant Principal	29.8	59.1
Agriculture Inspector	4	1
Assistant Agriculture Inspector	3	6
Higher Placenames Officer	2	2
Chief Placenames Officer	1	1
Placenames Officer	2	1
Development Officer	0	1
Administrative Officer	5.8	10
Higher Executive Officer	49.3	73.4317
Accountant	0	1
Executive Officer	49.2	67.1634
Engineer Grade 1	2	0
Engineer Grade 2	0	1



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Grade	2005	2010
Staff Officer	2.6	2.6
Translator Grade 3	0	5
Translator Grade 2	0	1
Maoirseoir Tithe (Housing Overseer)	5	3
Clerical Officer	56.7	83.1817
Service Officer	6	10
Cleaner	0.9	0.5122
Personal Secretary	1	2
Personal Assistant	1	2
Special Adviser	2	3
Civilian Driver	0	2
Total	242.3	375.589

### Hospital Waiting Lists

101. **Deputy Thomas P. Broughan** asked the Minister for Health and Children the number of persons on the waiting list to see each speciality at Beaumont Hospital, Dublin; the average waiting time to see each speciality; and if he will make a statement on the matter. [7995/11]

**Minister for Health and Children (Deputy James Reilly):** As these are service matters, they have been referred to the Health Service Executive for direct reply.

### Nursing Homes Repayment Scheme

102. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the number of court challenges that have been brought in respect of his refusal to include within the nursing homes repayment scheme those medical cardholders who had to be cared for in private nursing homes because there were no public nursing home beds available; the number of these cases that have been settled; the number still ongoing and the amount that has been spent, to date, in relation to these court challenges. [7997/11]

**Minister for Health and Children (Deputy James Reilly):** The Deputy will be aware that the Minister for Health and Children does not have responsibility for deciding which cases are within or without the Health Repayment Scheme. These are matters for the Scheme Administrator and the Appeals Officers as provided for under the terms of the Health Repayment Scheme Act. Those decisions are made in accordance with the criteria decided upon by the Oireachtas and set out in that Act. Approximately 300 cases have been brought against the HSE and the Department of Health and Children concerning people who spent time in private nursing homes. My Department is dealing with this litigation on a case by case basis. The cases are not all identical, the facts differ significantly. My Department is defending these cases in the usual way in accordance with advice we receive from our legal advisers and the Office of the Attorney General. On foot of legal advice and taking into account the individual circumstances, a very small number of cases have been settled on a confidential basis.

### Health Services

103. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding a placement in respect of a person (details supplied) in Dublin 3. [8000/11]

**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.

### Hospital Services

104. **Deputy David Stanton** asked the Minister for Health and Children when a person (details supplied) in County Cork will be seen by a rheumatologist consultant; and if he will make a statement on the matter. [8009/11]

**Minister for Health and Children (Deputy James Reilly):** The management of outpatient waiting lists is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply.

### Health Services

105. **Deputy Jack Wall** asked the Minister for Health and Children when a child (details supplied) in County Kildare will receive speech and language therapy and occupational therapy; and if he will make a statement on the matter. [8025/11]

**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.

### Hospital Services

106. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an outpatient appointment to see an orthopaedic consultant in respect of a person (details supplied) in County Cork. [8033/11]

**Minister for Health and Children (Deputy James Reilly):** The management of outpatient waiting lists is a matter for the HSE and the individual hospitals concerned. I have therefore referred the Deputy's question to the Executive for direct reply.

107. **Deputy Olivia Mitchell** asked the Minister for Health and Children if there is an established protocol in public hospitals regarding bringing persons in for surgical procedures on the day preceding surgery. [8044/11]

**Minister for Health and Children (Deputy James Reilly):** In recent years, there has been a much-increased emphasis on improved efficiency in acute hospitals. In particular, the focus has been on reducing inpatient care activity levels through the provision of more appropriate service responses, with a shift to day-case care where appropriate, and on performance improvements in inpatient care such as surgery on the day of admission and reducing inappropriate lengths of stay. Specific targets under these headings are included in the HSE's 2011 National Service Plan.

There are significant variations in the acute hospital sector in the extent to which elective patients are admitted on the day of surgery. Developmental work already under way, such as the Elective Surgery and Acute Medicine Programme, is aimed at delivering more clinically appropriate, consistent and cost-effective care, in order to address this and other issues surrounding the patient journey.

### Medical Cards

108. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding

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an application for a medical card in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [8051/11]

**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.

### Proposed Legislation

109. **Deputy Terence Flanagan** asked the Minister for Health and Children, further to Parliamentary Question No. 367 of 5 April 2011, if he will clarify his response; and if he will make a statement on the matter. [8057/11]

**Minister for Health and Children (Deputy James Reilly):** My Department is developing policy proposals which will provide the basis for Government to approve legislation to give effect to the policy proposals it decides upon.

### Hospital Closures

110. **Deputy Terence Flanagan** asked the Minister for Health and Children if the phasing out and closure of St. Luke's Cancer Hospital, Dublin, is one of the projects he has put on hold pending review; and if he will make a statement on the matter. [8058/11]

**Minister for Health and Children (Deputy James Reilly):** 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). 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. This decision is based on expert advice and is designed to ensure that radiation oncology is integrated with all other aspects of cancer care, including surgery and medical oncology. It is also in line with best international practice.

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 this month.

In relation to the future use of the St. Luke's site I can confirm that the legislation provides for the future use of the site as a health facility and states that the HSE may not sell or dispose of St. Luke's or any land on the site without my consent.

### Health Services

111. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive an appointment date for a clinic; and if he will make a statement on the matter. [8081/11]

**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 Staff

112. **Deputy Michael Creed** asked the Minister for Health and Children the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details

regarding the numbers in each Civil Service grade for the same years; and if he will make a statement on the matter. [8091/11]

**Minister for Health and Children (Deputy James Reilly):** The total number of staff (whole time equivalents) employed in my Department in the years requested by the Deputy is listed in the following table:

Year	No. of Staff Employed (WTE)
1995 **	448.50
2000 **	490.50
2005	641.00
2010	439.83

\*The figures quoted relate to whole-time equivalents employed at the end of December each year. It includes staff working in the core Department, the Adoption Board, the Office of the Ombudsman for Children, the Disability Appeals Office, the Health Repayment Scheme Appeals Office and the General Register Office and Social Services Inspectorate (where appropriate).

\*\*The figures for 1995 and 2000 do not include staff seconded into the Department.

The following table details the breakdown of staff (whole time equivalents) by grade in respect of 2010. The data for the other years is being collated as far as possible and will be forwarded to the Deputy when available.

Grade	31 December 2010
Secretary General	1.00
Deputy Secretary	1.00
Assistant Secretary	5.00
Director	2.00
Principal Officer	29.30
Assistant Principal Officer	80.50
Administrative Officer	14.30
Higher Executive Officer	81.73
Executive Officer	72.20
Staff Officer	10.8317
Clerical Officer	80.2317
Clerical Assistant	n/a
Clerical Assistant Typist/Data Entry	n/a
Paper Keeper	n/a
Services Officer	9.00
Head Porter/Porters	1.00
Ministerial Staff	15.00
Other Miscellaneous Grades	20.1317
Seconded in Staff	16.60
Total	439.83

### Hepatitis C Infection

113. **Deputy Terence Flanagan** asked the Minister for Health and Children if he will respond to correspondence (details supplied); and if he will make a statement on the matter. [8098/11]

**Minister for Health and Children (Deputy James Reilly):** The Health Amendment Act (HAA) Card is given to men, women and children who contracted Hepatitis C from the administration within the State of blood or blood products. It is not the same as a medical card, a GP visit card or a Drug Payment Scheme card. The HAA Card gives entitlements to additional services, on more flexible terms and conditions than the medical card. The HAA card and the entitlements attached to it are for the lifetime of the cardholder. At this stage some people have been infected for over 30 years. There are currently 1,485 HAA cardholders being provided with services by the HSE. Home support is one of the statutory entitlements under the terms of the Health (Amendment) Act, 1996. Home support is available when required to assist people with normal day-to-day household activities. As the group ages their health care needs will change from home support to home care and then home nursing. To date home support was provided on the basis of a referral letter from a GP or consultant stipulating the number of hours to be provided. Less than half of the eligible cohort are currently in receipt of home care services. Part of the plan around introducing the needs assessments is to check the present and future needs of those who do not presently avail of services in order that the HSE complies with its duty of care to these people.

In many cases the HSE has no details of patients' health status or future home support/home care/home nursing needs. In order to plan for the changing needs of the cohort the HSE has developed an assessment process. The assessments will be carried out by nurses who will have relevant experience and training in the specific needs of those living with hepatitis C and associated conditions. Nurses carrying out the assessments will be assisted by a multi-disciplinary approach, which will involve all aspects of a person's care.

The assessment tool and the manner in which assessments will be carried out are being developed in consultation with the support groups representing the cohort — the Irish Haemophilia Society, Positive Action, Transfusion Positive and the Irish Kidney Association. A set of proposed review guidelines have been developed which will support the introduction of standardised health and social care needs assessments and allow individualised care plans to be established for all HAA cardholders who require home care. The process will identify the specific needs relating to domestic, continual care and nursing care as well as establishing a review plan following the initial assessment. All HAA cardholders will undergo a complete health and social care needs assessment to establish the supports required and old arrangements where a GP/Consultant letter prescribing a number of home support hours will cease.

Consultations have taken place with key stakeholders including the HSE public health nursing service, consultant hepatologists, GPs and my Department. All clinicians strongly support this review and see in the best interests of patients to introduce a more managed care approach to health and social care needs assessments, allowing optimum care to be provided to all.

Certain members of the support groups dispute the need for the assessment and argue that it will change or curtail their entitlements under the Act. On the contrary, the objective of the assessment is to ensure that all patients for whom the HSE has a duty of care are provided with the optimum supports necessary. In order to progress the implementation of the proposed new guidelines, work is ongoing to agree the mechanisms to be put in place to support a standardised multi-disciplinary approach to needs assessment which is in line with existing arrangements throughout the HSE.

### **Hospital Services**

114. **Deputy John McGuinness** asked the Minister for Health and Children if an assessment

and operation will be arranged as a matter of urgency in respect of a person (details supplied) in County Kilkenny and if the person is entitled to be considered under the national treatment purchase fund. [8108/11]

**Minister for Health and Children (Deputy James Reilly):** The management of outpatient waiting lists is a matter for the HSE and the individual hospitals concerned. I have, therefore, referred the Deputy's question to the Executive for direct reply. In the event that a person is on an in-patient waiting list, and subject to the resources available to it and the overall waiting list situation in the hospital concerned, the National Treatment Purchase Fund may arrange treatment for patients who have been on a surgical waiting list for more than three months.

115. **Deputy Sean Fleming** asked the Minister for Health and Children when a hospital appointment will be arranged in respect of a person (details supplied) in County Laois; and if he will make a statement on the matter. [8122/11]

**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 Properties

116. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport the intentions of the Irish Coastguard in respect of premises (details supplied). [7993/11]

117. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport if the Irish Coastguard, Drogheda, County Louth has accepted the site offered to it by Drogheda Borough Council at a location (details supplied); and if it will avail of same. [7994/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 116 and 117 together.

Since its inception as a Coast Guard Unit in 2004 the Drogheda Unit has used the facilities at Horse Lane, Drogheda. Before that these same facilities were used by the Drogheda Community Rescue Inshore unit, the forerunner of the present Coast Guard Unit. The location provides immediate access to a slipway. However, by direction of the Council the Horse Lane has been vacated owing to concerns relating to the safety of the building, but this has not prevented continued use of the slipway. At this time the Irish Coast Guard and Drogheda Borough Council are engaged in discussions with the objective of identifying a suitable long term base for the Coast Guard Unit in Drogheda.

### International Events

118. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the details of major international events and fairs that will be held here in the years 2011 to 2014. [7992/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The following is a list of key international events taking place during the period 2011-2014 which have been brought to the attention of Fáilte Ireland. The list is not exhaustive and is focused on once-off events. The inclusion of any event on this list does not imply that it is in receipt of public funding.

Other important sporting, cultural and trade events take place each year, for example the GAA All-Ireland series, the Six Nations rugby, the Irish Open Golf, St. Patrick's Festival and

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the National Ploughing Championships. The dates for these events are published annually by the relevant organising body.

Name of Event	Date	Location
<i>2011 Events</i>		
Rotary International GB & Irl — 2011	Apr-11	RDS, Dublin
IGaming Super Show	May-11	RDS, Dublin
TM Forum Management World Conference	May-11	Convention Centre Dublin
European Football Championships (UEFA Europa League Final 2011)	18 May 2011	Aviva Stadium, Dublin
World Hairdressing Conference	May-11	RDS, Dublin
Red Hat Linux Conference	Jun-11	Dublin
The Fireball World Championships, 2011	2011	Sligo
Navy v Notre Dame 2011 (American Football)	2 September 2011	Aviva Stadium, Dublin
The 2011 Solheim Cup	23-25 September 2011	Killeen Castle, Co. Meath
European Surfing Championships (Euros surf 2011)	2011	Bundoran, Co. Donegal
Tall Ships 2011	2011	Waterford
Limerick — European City of Sport 2011	2011	Limerick
The Singlespeed mountain biking world championships	2011	Ballyhoura, County Limerick 2011
The ISAF team (sailing) Racing World Championships	2011	Schull, Co. Cork
The WAKO world kick-boxing championships	2011	Dublin
<i>2012 Events</i>		
Dublin Fire Brigade 150 Celebrations	28 May-2 June 2012	Dublin
Eucharistic Congress	June 2012	Dublin
European City of Science	2 July 2012	Convention Centre Dublin
American Bar Association	Oct-12	Convention Centre Dublin
Tall Ships Race Dublin 2012	2012	Dublin
Volvo Ocean Race Finale 2012	2012	Galway
ISAF Youth World Championship 2012 (Sailing)	2012	Dublin
<i>2013 Events</i>		
International Pharmaceutical Federation Conference	Aug-13	Convention Centre Dublin
Womex — The World Music Expo	Oct-13	Convention Centre Dublin
US Ireland Council 50th Anniversary	2013	TBC
<i>2014 Events</i>		
World Floral Artists Conference & Exhibition	Jun-14	Dublin

### Tourism Industry

119. **Deputy Seán Kenny** asked the Minister for Transport, Tourism and Sport the steps taken to attract additional visitors from the north American and UK markets. [8022/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised is an operational one for Tourism Ireland. I have referred the Deputy's question to the agency for

direct reply. Please advise my private office if you do not receive a reply within ten working days.

### Driving Licences

120. **Deputy Noel Harrington** asked the Minister for Transport, Tourism and Sport if it is possible for a constituent who has dual citizenship in Ireland and Australia, holds a full driving licence in both countries and commutes regularly between both countries to renew their Irish driving licence without surrendering their Australian driving licence; his plans to review this in view of the higher insurance and car rental costs involved; and if he will make a statement on the matter. [8070/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under the Road Traffic (Recognition of Foreign Driving Licences) Order 2007 (SI No. 527 of 2007) Ireland has arrangements for recognition and exchange of driving licences from a number of other jurisdictions, including Australia. It is an accepted principle of these arrangements that a person should not hold two driving licences at the same time. In consequence it is a principle that, where an exchange arrangement is in place, one should hand in the “old” licence to get the licence in the exchange country. When a person comes back to Ireland his/her licence renewal application form will ask if he/she has a licence from another country and, where it is from a country with which we have an exchange arrangement, such as Australia, this must be submitted with the application form for the Irish licence. There are no plans to change this arrangement.

### Departmental Staff

121. **Deputy Michael Creed** asked the Minister for Transport, Tourism and Sport the number of staff employed directly in his Department in 1995, 2000, 2005 and 2010; if he will provide details regarding the numbers in each civil service grade for the same years; and if he will make a statement on the matter. [8094/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The information sought by the Deputy is available from 2002 when the Department of Transport was formed. The total full time staff equivalent in the Department at 31st December each year was 551 in 2002, 511 in 2005 and 495.5 in 2010. The numbers and detail by grade are shown in respect of 2005 and 2010 in the attached table.

There were a number of changes within the Department between 2005 and 2010 due to the establishment of the Road Safety Authority and the Railway Safety Commission, which reduced numbers, and the transfer of functions into the Department relating to roads planning and maritime safety, which increased numbers. There were substantial reductions in 2009 and 2010 due primarily to incentivised early retirements, incentivised career break schemes and latterly due to staff redeployment to other Departments.

Table 1

Staff Number at 31 December (Full Time Equivalent)

Grade	2005	2010
Secretary General	1	1
Assistant Secretary	5	4
Principal Officers	17	14.9
Assistant Principal Officers	45.5	36.63



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Grade	2005	2010
Administrative Officers	7	7
Higher Executive Officers	58.2	72.43
Executive Officers	71.43	79.56
Staff Officers	14.6	17.1
Clerical Officers	124.78	134.56
Transport officers	9	0
Ministerial Staff (includes Minister of State staff)	5	7
Services Officers / Attendants / Storekeeper	15.8	14.3
Telephonists	2.3	2.03
Chief Aeronautical Officer	1	1
Aeronautical Officer Grade I	2	4
Aeronautical Officer Grade II	0.5	1
Principal Adviser — Engineer		1
Engineering Inspector — engineer		1
Senior Adviser	1	1
Inspector		1
Accountant Grade 2	1	1
Senior Economist	1	
Legal Advisor		1
Statistician		1
Sustainability Adviser		1
Transport Planner		1
Staff Engineer	1	1
Director Irish Coast Guard (IRCG)		1
Assistant Director IRCG		1
Chief Engineer		1
Regional Controller IRCG		2
Deputy Divisional Controller		3
Electronics Officer		3
Engineering & Operations Officer		1
Radio Officer Grade III		23
Station Officer		17
Training & Operations Officer		4
Coastal Unit Sector Manager		3
Chief Surveyor		1
Deputy Chief Surveyor		1
Marine Radio Surveyor		1
Surveyor (Officer in charge)		1
Surveyor		25
Stagiaire		1
Chief Railway Inspecting Officer	1	
Principal Railway Inspecting Officer	1	
Senior Railway Inspecting Officer	2	
Railway Inspecting Officer	1	
Senior Vehicle Tester	1	
Taxi Regulator	1	
CEO Designate DTSA	1	

Grade	2005	2010
Chief Driver Tester	1	
Supervisor Driver Tester	9	
Driver Tester on Higher Duties Allowance	1	
Driver Tester	88.63	
Contract Driver Tester	19	
TotalL	510.74	495.51

### Driver Testing Service

122. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the changes that are planned for the driver theory test, in view of the fact that there are plans to update it later this year; and if he will make a statement on the matter. [8119/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Responsibility for setting the driver theory test rests with the Road Safety Authority. The last major review of the questions posed in the driver theory test took place in 2006 and I understand the Road Safety Authority has decided that it is now timely to carry out a review of the question bank to update the questions in light of changes and experience in the interim.

### Departmental Bodies

123. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he will provide a list of those who comprise the governing board of Railway Safety Commission; the remuneration provided to each board member; the date on which each board member was appointed; the amount of funding from the State received by the Railway Safety Commission in the last financial year; and if he will make a statement on the matter. [8125/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Railway Safety Commission (RSC) was established on 1 January 2006, under the Railway Safety Act 2005, as the independent regulatory agency charged with oversight of the safety of all railway activities in the State. The RSC has no governing board. However, Section 81 and 82 of the Railway Safety Act 2005 requires the Minister to establish by order a Railway Safety Advisory Council (RSAC), to consider issues relevant to railway safety and to make recommendations as appropriate to the Minister or to the RSC.

The members of the Council are as follows:—

Board Member	Date Appointed
John Power (Chairperson)	15/11/2010
Audrey Bradley	15/06/2010
Marie Butler	15/06/2010
Peter Cuff	15/06/2010
Mary Dorgan	15/06/2010
Kay Doyle	15/06/2010
Dermot Dwyer	15/06/2010
Phil Lewis Farrell	15/06/2010
Maria Kyte	15/06/2010
Dermot O'Leary	15/06/2010
Peter Rigney	15/06/2010

[Deputy Leo Varadkar.]

Board Member	Date Appointed
Paul Scully	15/06/2010
Pauline Walsh	15/06/2010
Vacancy	

The *per diem* fee payable to the Chair of RSAC is €712.50, subject to an annual limit of €9,262.50. No remuneration was paid to the chairman or indeed any member of the board in 2007, 2008, 2009 and 2010. The RSC received Exchequer funding of €861,000 in 2010.