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DÁIL ÉIREANN

Dé Máirt, 19 Aibreán 2011.
Tuesday, 19 April 2011.

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

Paidir.

Prayer.

Business of Dáil

An Ceann Comhairle: Before I call the Taoiseach for questions, I ask Deputies with mobile telephones to switch them off completely. As I indicated at our previous sitting, we lost the proceedings of the entire Order of Business for the RTE recording as a result of incoming text messages.

Ceisteanna — Questions

Departmental Staff

1. **Deputy Micheál Martin** asked the Taoiseach when he will publish details of his proposal to reduce the permanent rather than political staffing of his Department [6666/11]

2. **Deputy Micheál Martin** asked the Taoiseach the progress made in the restructuring of his Department including reduction in staff numbers for the entire Department rather than reassignments within the Department. [7685/11]

3. **Deputy Micheál Martin** asked the Taoiseach the changes if any he has made or expects to make in spending allocations within his Department. [7686/11]

4. **Deputy Micheál Martin** asked the Taoiseach if it is his intention to make any promotions to the civil service staff in his Department from outside the current ranks of the civil service during 2011 and which promotions are involved. [7689/11]

5. **Deputy Micheál Martin** asked the Taoiseach the total estimated annual expenditure savings to his Department as a result of changes which he has implemented since his appointment. [7693/11]

6. **Deputy Micheál Martin** asked the Taoiseach the units in his Department which he intends either cancelling or transferring to other Departments; and if he will make a statement on the matter. [8192/11]

7. **Deputy Gerry Adams** asked the Taoiseach his plans for restructuring of staffing in his Department. [8367/11]

The Taoiseach: I propose to take Questions Nos. 1 to 7, inclusive, together.

A new post of second Secretary General is being created in my Department which will support two important new mechanisms which are being established, namely, support for the Government economic management council and a new role in European Union co-ordination. This new approach in respect of EU co-ordination will support the Tánaiste and me, as appropriate. The new second Secretary General will also co-ordinate support for the Tánaiste in his engagement with whole-of-government issues, including Cabinet committee structures.

In addition, the post of Secretary General of my Department and Secretary General to the Government is due to become vacant in the near future and an appointment will be made shortly. The Government will decide in due course on the filling of these posts, for which expressions of interest have been invited from across the Civil Service in line with established practice.

Over the coming weeks staff dealing with public service reform in my Department will transfer to the new Department of Public Expenditure and Reform. While the precise details of the move and the number of support staff that will be required to transfer are being finalised, I expect that approximately 25 staff will transfer.

My Department's Estimate provision for 2011 is €24.816 million. This will be reduced as a result of the transfer of sections and posts in my Department which have been engaged in work which now comes within the responsibility of the Department of Public Expenditure and Reform. I expect this transfer of functions will give rise to a whole year reduction in my Department's Estimate of approximately €2 million.

Deputy Micheál Martin: Will the Taoiseach indicate the reasons he has not opened up the positions to which he alluded, namely, Secretary General to the Government and the new position of Secretary General to the Department of Public Expenditure and Reform? Only a number of weeks ago it was clearly stated that the former position would be publicly advertised. Likewise, the new position, the creation of which I support, marks a return to the position which obtained two or three years ago when there were two Secretaries General in the Department of the Taoiseach. Why have the two positions in question not been opened up to public advertisement given the very strong play the Taoiseach made before, during and since the general election that all senior positions within the public service and Civil Service would be open to applicants outside the Civil Service? A specific promise was recently made in regard to the Department of Public Expenditure and Reform.

As seven questions have been grouped, including six of mine, I would appreciate the opportunity to ask a number of supplementary questions pertaining to different aspects of those questions. However, that is the central question for now.

The Taoiseach: The Secretary General posts in the Departments of the Taoiseach and Finance do not come within the ambit of the Top Level Appointments Committee, TLAC, but are matters for decision by the Government directly, as are the posts of the Secretary General to the President, the Secretary General of the Department of Foreign Affairs and the Chairman of the Revenue Commissioners. All suitable officers at a senior level in the Civil Service are considered for such appointments but it has been the practice to invite expressions of interest. In doing so, the opportunity was taken to include the posts of Secretary General to my Department and Secretary General to the Government, where a vacancy is due to arise in a few

months. Expressions of interest received by yesterday evening are being compiled and the filling of the posts will be considered by the Government in the near future.

Deputy Micheál Martin: I understand the positions are not covered by TLAC and I am not asking about established practice because the Taoiseach promised to break from established practice in filling positions of this kind. He specifically said he would open these positions to applications from outside the public service and Civil Service. Why has he decided not to do that?

The Taoiseach: While we have revised the structure of TLAC, these posts are not subject to TLAC and are outside it as they are appointed directly by Government.

Deputy Micheál Martin: That is not the point.

The Taoiseach: They are sensitive positions, all with responsibility attached to them. Given the numbers involved, we should wait to study the list of expressions of interest and how that should be considered. These are fundamentally important positions for any Government. That is the way it is.

Deputy Micheál Martin: I know they are important positions. It was the Taoiseach who made the promise that people from outside would be invited to apply for these positions. Despite this, he has decided on this occasion not to open up these positions to outside people. Why has the Taoiseach taken this decision given it was he who made the commitment? I know all about established practice and TLAC. Why did the Taoiseach change his mind from a position he held not so long ago in regard to inviting in people from outside? I am not just talking about the Secretary General to the Government, the appointment of a new second Secretary General to the Department of the Taoiseach or in regard to the new Department of Public Expenditure and Reform, headed by the Minister, Deputy Howlin. Only weeks ago, a specific commitment was made that this would require external expertise and that such expertise would be brought in. That clearly has not materialised and I want to know why.

The Taoiseach: As I said, with regard to the Minister for Public Expenditure and Reform, the Government has agreed to change the structure of TLAC. It is part of the Government's programme that there be the opportunity for people from outside the existing public service to bring in expertise, competence and management skills, which is already happening. The appointments of Secretaries General to the Government and to the Departments of Finance and the Taoiseach have never come within TLAC. All I have sought at present are expressions of interest. The closing period was yesterday and I have not even seen the range, the list or the numbers of those who have expressed interest in these positions. I will report progress to the House as I discuss this with the Government.

Deputy Gerry Adams: Tá mé buíoch don Taoiseach as an freagra a thug sé, ach sílim nach bhfuil sé soiléir nó nach bhfuil difear mór idir an slí ina bhfuil an Taoiseach ag dul ar aghaidh agus an slí in ar déileáil Fianna Fáil le ceisteanna mar seo.

Does the Taoiseach agree that any restructuring of staffing in his Department must be about making it more efficient and transparent, about savings in Government spending, and about the delivery of services for the benefit of citizens? Have any savings been made in a monetary sense? For example, in the case of money spent on advisers since the Taoiseach came into power, have there been savings in comparison with the position taken by the last Government on this issue?

The Taoiseach: If the Deputy goes back on the record of what we discussed in this House in recent weeks he will find that the Government has made decisions about reducing the numbers of advisers to Government and to Ministers of State and reducing staff numbers in private offices and private constituency offices. I pointed out in my reply to Deputy Martin that the transfer of staff from the existing Department of the Taoiseach to the new Department of Public Expenditure and Reform will result in a saving of some €2 million in the Vote of the Department of the Taoiseach this year.

All these changes have not yet been finalised but, when they are, they will be put on the public record in this House. I expect there will be considerable overall savings in the context of the Vote for the Department of the Taoiseach and for all other Departments when the full range of appointments is completed. The Government has made decisions in respect of reductions of pay elements, in respect of State cars and other perks and in respect of Ministers of State no longer being allowed special advisers.

Deputy Gerry Adams: The point is that transferring staff from the Department of the Taoiseach to another Department does not in itself offer a saving to the taxpayer.

The Taoiseach: That is true, but the creation of a new Department of Public Expenditure and Reform already signifies the decision by Government to have a serious and comprehensive analysis of how public moneys are spent. The people being transferred from the Department of the Taoiseach to a specific unit within the new Department of Public Expenditure and Reform will see to it that there is a proper analysis of how public moneys are being spent. When the final range of appointments is made to Ministers — both to their private offices and constituency offices — we will see the full extent of the savings, and that information will be brought to the House. These appointments must be approved by the Taoiseach, but not all of them have come before me as yet.

Deputy Micheál Martin: My Question No. 1 asks when the Taoiseach will publish details of his proposal to reduce the permanent rather than the political staffing of his Department. Some months ago he made a commitment to reduce the staffing of the Department of the Taoiseach by one third. I have seen no evidence of that. I am not talking about transferring staff to another Department but rather the Taoiseach's specific commitment to reduce the permanent staff of his Department by one third. Will he indicate when he intends to publish details of this? Does he anticipate being in a position to reduce the permanent staffing of the Department of the Taoiseach by one third?

The Taoiseach: Staffing will reduce with the transfer out to the new Department of Public Expenditure and Reform. I consider it very important that the driving force in respect of European Union co-ordination, which is becoming increasingly important, should be driven by the Department of the Taoiseach. There is a very small number of staff in the Department currently involved in this work, and we will relate that to personnel who are currently working in the Department of Foreign Affairs. I have had discussions with the Tánaiste and the Secretary General of that Department to co-ordinate our work in the area of European affairs. Ireland will hold the European Presidency in 2013 and the Minister of State with responsibility for European affairs will work with the Tánaiste, with me and with all Departments in making preparations for that. When all of the adjustments have been made, both out of the Department and working with the Department, we will publish all the details.

Deputy Micheál Martin: Given what the Taoiseach has just stated on the need for enhanced capacity within the Department of the Taoiseach from the European perspective, was it not

unwise to commit some months ago to a reduction by one third of the Department's permanent staff?

The Taoiseach: I want to sort out a range of problems faced by this country and neither the Deputy nor I is interested in Punch and Judy politics.

Deputies: Hear, hear.

Deputy Micheál Martin: That does not answer the question.

An Ceann Comhairle: I call Deputy Higgins.

Deputy Jerry Buttimer: What about the examination of your appointments?

Deputy Joe Higgins: Many staff in the Department of the Taoiseach are members of the Civil and Public Services Union, which organises the lowest-paid workers in the public service. Does the Taoiseach understand the anger of those members of his staff who at their conference rejected the Croke Park agreement because it simply consolidates savage pay cuts, slashes jobs in the public service and therefore worsens service to the public? What is the Taoiseach's attitude to the bullying of successive Labour Party Ministers in the past week——

Deputy Ray Butler: Where is the question?

An Ceann Comhairle: Quiet please. Through the Chair, please.

Deputy Pádraig Mac Lochlainn: Is there a new Ceann Comhairle?

Deputy Joe Higgins: I heard noises offstage there, a Cheann Comhairle.

An Ceann Comhairle: Deputy, please proceed with the question. Thank you.

Deputy Joe Higgins: What is the Taoiseach's attitude to the Labour Party Ministers' bullying the lowest-paid and middle-paid public servants, including those in his Department, and threatening them with further pay cuts? I ask the Taoiseach to acknowledge that staff within his Department start out with extremely low annual wages in the low twenty thousands of euro. As a matter of interest, when the Taoiseach who is in receipt of €200,000 per year passes those staff in the corridors——

An Ceann Comhairle: When the Deputy is ready, does he have a question?

Deputy Joe Higgins: ——does he avert his gaze in embarrassment that he demands further cuts from them while rescuing European banks?

The Taoiseach: That is a broad-ranging question from the Deputy. I called together all the staff of my Department recently. I am very proud of the work they do and I spoke to them about the work in which the Government is involved. I do not accept the Deputy's wild assertion that Labour Party Ministers have been bullying Civil Service unions or any other trade union.

Deputies: Hear, hear.

The Taoiseach: This involves dealing with reality. As the Deputy is aware, the Croke Park agreement was put through this House and contains within it the potential to bring about that transformation of the public services sought by the Deputy and everyone else so that they are delivered efficiently and professionally by highly motivated staff. As a union, the CPSU is

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entitled to its view. I listened to its reports the other day and I understand that a ballot is sought. While the Government already has stated clearly that it does not desire a further cut to public pay, Deputy Higgins as a well-read Member is aware of the contents of the agreement and the memorandum of understanding signed off with the IMF and the European Union in respect of this country. This is the reason it is absolutely necessary that the Croke Park agreement now be accelerated and that public service managers and the implementation forum become drivers instead of simply monitors.

Deputy Joe Higgins: It is to save the skins of European speculators.

The Taoiseach: It is very important in the sense of allowing public servants to do their duty as they wish to in a streamlined and efficient operation that delivers the services the public expects. The public service unions want this to be delivered and I intend to work with them in the interests of ensuring that the agreement is implemented in full as quickly as possible. The Labour Party Ministers and others have pointed out the reality of the consequences of not being able to do that.

Deputy Joe Higgins: It is to save the European banks.

Deputy Bernard J. Durkan: Was Deputy Higgins not over there saving them for a good while?

Official Engagements

8. **Deputy Micheál Martin** asked the Taoiseach when the next North South Ministerial Council will take place; and if he will be attending [7502/11]

9. **Deputy Micheál Martin** asked the Taoiseach his plans for carrying out a second review of the North South Implementation Bodies and Areas for Cooperation following a commitment made in the Programme for Government [7503/11]

10. **Deputy Micheál Martin** asked the Taoiseach the discussions he has had concerning the commitment to cross-border road links. [7688/11]

11. **Deputy Gerry Adams** asked the Taoiseach if he will raise directly with the British Prime Minister the need for the British Government to accede to the unanimous request of Dáil Éireann in July 2008 for all files and other information in relation to the Dublin and Monaghan bombings of 17 May 1974 and other atrocities inquired into by Justice Barron to be opened to independent, international scrutiny; and if he will make a statement on the matter. [7777/11]

12. **Deputy Micheál Martin** asked the Taoiseach his plans regarding expanding the role of cross-border implementation bodies. [8193/11]

13. **Deputy Joe Higgins** asked the Taoiseach when he will next meet with the British Prime Minister. [8290/11]

14. **Deputy Joe Higgins** asked the Taoiseach if the British Prime Minister consults with him regarding the economic policies of the British Government as they impact on Northern Ireland. [8291/11]

15. **Deputy Clare Daly** asked the Taoiseach his plans to discuss outstanding issues from the Barron Report on the Dublin/Monaghan bombings. [8323/11]

16. **Deputy Gerry Adams** asked the Taoiseach if he has a coordinating role in regards to meetings between members of the Cabinet and their counterparts in the Northern Executive to ensure a cohesive and streamlined approach to North South relations; and if he will make a statement on the matter. [8366/11]

17. **Deputy Gerry Adams** asked the Taoiseach if he will report on his meeting with British Prime Minister, Mr. David Cameron; the issues that were discussed; and if he will make a statement on the matter. [8423/11]

The Taoiseach: I propose to take Questions Nos. 8 to 17, inclusive, together.

As the Head of Government, I wish to see——

Deputy Gerry Adams: A Cheann Comhairle, on a point of order——

The Taoiseach: ——North-South relations continue to advance and levels of economic co-operation increase.

Deputy Gerry Adams: On a point of order, the Taoiseach has included a question in respect of the Dublin and Monaghan bombings which has little to do with cross-Border matters and which deserves a separate answer.

An Ceann Comhairle: That is not a point of order. It is a matter for the Taoiseach as to whether he groups questions.

Deputy Aengus Ó Snodaigh: It is important.

Deputy Sandra McLellan: Yes.

An Ceann Comhairle: I will allow the Deputy adequate time to ask supplementary questions.

The Taoiseach: A number of the questions refer to the North-South Ministerial Council, parliamentary forums, cross-Border activities and so on.

As Head of the Government, I wish to see North-South relations continue to advance and levels of economic cooperation increase, to ensure peace and stability on this island and with a view to accelerating economic recovery to our mutual benefit. I am also acutely aware of the political importance of all of the institutions established by the Good Friday Agreement, including not only the Northern Ireland Assembly and Executive, but also the North-South Ministerial Council, the North-South bodies and the British-Irish Council.

As set out in the Good Friday Agreement, relevant Ministers and officials from North and South work together through the North-South Ministerial Council on agreed areas of co-operation. The next plenary meeting of the North-South Ministerial Council is scheduled to take place on 10 June. I look forward to chairing the meeting, which will take place here in the South at a location yet to be decided. I expect that we will have discussions around the economic situation North and South and that we will give consideration to a range of areas of North South co-operation. I see the June plenary meeting as an important opportunity to make quick progress on a range of outstanding issues and opportunities, with new Administrations in place both here and in Belfast.

As I have said before in this House and as set out in the programme for Government, this Government is fully committed to the implementation of the Good Friday Agreement and the St. Andrews Agreement, which have brought about transformational change on this island. Under the St. Andrews Agreement, it was agreed that the Northern Ireland Executive and

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Irish Government, under the auspices of the North-South Ministerial Council, would appoint a review group. That group was asked to examine the efficiency and value for money of existing North-South implementation bodies and also to look at the case for additional bodies and areas of co-operation within the North-South Ministerial Council where mutual benefit would be derived.

Relevant Ministers in both jurisdictions have been consulted on all aspects of the St. Andrews Agreement review. I understand that this process is now near completion and that the review group is to prepare a report for consideration by the North-South Ministerial Council at its plenary meeting in June. I hope that the process will be brought to a conclusion at that stage and that further progress can be made.

In that context, I also hope to see progress on the establishment of the North-South consultative forum. As the Deputy knows, proposals on this were previously made to the Northern Ireland Executive. Three successful consultative conferences involving social partners and other groups from civil society from across the island were facilitated by the previous Government.

Another outstanding commitment under the St. Andrews Agreement on which I would like to see movement is the establishment of the North-South parliamentary forum. While its establishment is a matter for agreement between both the Oireachtas and the Assembly, I hope that there will be progress on this after the Assembly elections in May. I have written formally to the Ceann Comhairle about this and I know that he is very supportive of the proposal.

The Government continues to be supportive of the A5 north-west gateway to Aughnacloy and the A8 Belfast to Larne road projects. Roads are long-term investments but will pay dividends in terms of the contribution to the economy of the North and the north west and the mutual benefits that will accrue to the island as a whole. As I said to the First and deputy First Ministers when we met in Washington last month, I am also open to looking at ways of delivering this project more effectively but to the same high quality.

The future prosperity of the Northern Ireland economy is a matter of concern to everyone in this part of the island as well. The UK Treasury has published a consultation document, entitled “Rebalancing the Northern Ireland Economy”, which sets out the major challenges facing the Northern economy. I took the opportunity to discuss this with the British Prime Minister yesterday and I assured him that we shared the objective of helping the Northern Ireland Executive to rebalance the Northern economy, as well of developing the all-island economy.

In the meeting in Downing Street, I held a wide-ranging discussion with the Prime Minister. The issues we discussed included the strength of the bilateral relationship between Britain and Ireland, which will be reflected in the forthcoming visit by Queen Elizabeth, the economic challenges we both face and a number of issues of common concern at EU level. The Prime Minister was very supportive of the action being taken by the Government, both at home and internationally, to deal with our economic problems. We had a useful exchange on the current situation in the European Union and how we could work together to ensure that EU policies and action support economic growth and recovery across the Union. I expressed my appreciation for the loan which Britain was providing for Ireland and the manner in which the Prime Minister and his colleagues had dealt with the matter. I did not engage in a detailed discussion about the interest rate, as that matter is being dealt with by eurozone finance Ministers.

With regard to Northern Ireland, we discussed recent political developments, notably the successful completion of the first ever full term power sharing government, security co-operation and opportunities for all-island economic co-operation. We both expressed admiration for the leadership shown by all sections of society in the aftermath of the terrible murder of

Constable Ronan Kerr and especially the powerful statement made by his mother, Nuala. We agreed on the importance of maintaining and enhancing the historic progress made in policing in Northern Ireland and the need to continue to work together to ensure we did not slip back, notwithstanding the recent ending of the special 50-50 recruitment provisions introduced after the Patten report.

With regard to the Dublin and Monaghan bombings, the question of obtaining access to information held by the British Government on the bombings has been pursued for many years by successive Governments and with the support of Members on all sides of the House. There was a significant and lengthy inquiry by two very eminent judges, Judge Hamilton and Judge Barron; a thorough examination by an Oireachtas committee and a full commission of investigation conducted by Mr. Patrick MacEntee. In 2008 the House passed an all-party motion on the matter which was transmitted to the House of Commons. The issue arose again in a broader discussion yesterday with the Prime Minister when we both acknowledged that there were a great number of sensitive issues relating to the past that needed to be sensitively considered without getting into endless, open-ended inquiries. There are many other acts of violence in respect of which victims on all sides wish to have more information on what happened to their loved ones. The Pat Finucane case also arose in that context and I understand the British Government is continuing to consider how that matter might be resolved.

Deputy Micheál Martin: I regard the taking of such a large grouping of questions as unacceptable. There should be more common sense in taking questions. I do not mind questions being grouped where there is strong coherence or similarity in dealing with issues, but taking Questions Nos. 8 to 17, inclusive, together is an extraordinary action which almost brings the process into disrepute. The topics dealt with include cross-Border links, the Dublin and Monaghan bombings, the meeting with the British Prime Minister and a variety of other separate matters. I would like the Taoiseach to take on board what I am saying about the need to adopt more common sense in the grouping of questions tabled by so many Members.

That said, I welcome the Taoiseach's comments on the North-South Ministerial Council which will take place here. He indicated some time ago that if he were to become Taoiseach, he would conduct a second review of the North-South Implementation Bodies, but given what he has now said, that will be unnecessary. We are nearing completion of the first review which has dragged on for too long. There are issues and sensitivities concerning some of the North-South Implementation Bodies, as there are various traditions and political parties in the North. Will the Taoiseach consider an extension of the current bodies or the creation of new ones as part of the review and consideration by the North-South Ministerial Council? In areas such as food safety, for example, there is a clear rational case to be made for having an all-island food safety promotion body. As far as I can gather, three are in operation. Likewise, in the general area of public health I suggest there is significant room for adopting an all-island approach and in a number of related areas. Has the Taoiseach had any meetings regarding a commitment to cross-Border road links with groups in the North and the British Prime Minister?

The Taoiseach: The Deputy raises an interesting point about the grouping of questions. When I took my first Question Time here as Taoiseach I made the point that in the discussions we are to have on how we do business in the House we should look at this. The only common denominator among this set of questions is that they are all about Northern Ireland matters. In previous times, during Taoiseach's questions, there have been groupings such as European Union matters lumped in with the Far East and everything else. I remember exceptionally long replies being given by different taoisigh over the years. That is something we should look at. I

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do not mind if the Deputy wishes to take each of the questions individually, but they will overlap, as the Deputy will understand, because they relate to Northern Ireland.

The report on the implementation bodies will be finished, I hope, by May, and will be considered by the North-South Ministerial Council in June. Arising from that, the question of new bodies might become relevant. I did not have meetings about roads with any group, although this is an important issue. As I said in my reply, the Government is committed to continuing the support it has shown previously with regard to the A8 and A5 roads.

Deputies will also be aware that the Minister for Health has confirmed our continuing support in respect of facilities to be provided at Altnagelvin hospital. I have made the point on many occasions over the years that cross-Border issues such as education, health, the agricultural economy and research and innovation affect both the economy and social and civil society. With regard to the paper on transforming the Northern Ireland economy, as Deputies will be aware, there are issues which are of interest to us, and we are prepared to work on the development of an all-island economy. Some things will be acceptable and some will not, but they are matters for discussion among the politicians.

Deputy Micheál Martin: Did the Taoiseach discuss with the British Prime Minister the impact of that Government's economic policies on Northern Ireland, particularly the impact of cuts in education, social services and health on marginalised communities? Given the unique circumstances in Northern Ireland, there is a need to ensure economic and social progress in order to underpin the political progress that has been made. The edifice that has been created will require sustained supports, particularly for those who do not have a chance to complete second-level education or will not have the opportunity to go on to third level. Various social and health indices show significant disparities between Northern Ireland and the rest of this island, as well as the rest of Europe. There is a requirement to make this clear to the British Prime Minister at every available opportunity. This is something we have discussed in the past with the Secretary of State for Northern Ireland. The British Government must take account of the impact of its broader policies on the daily lives of people in marginalised communities in Northern Ireland.

Finally, could the Taoiseach indicate the position he took with the British Prime Minister on the Pat Finucane case?

The Taoiseach: The Deputy will be aware that the Tánaiste met with the Secretary of State yesterday to discuss a number of matters of mutual interest. I did not have the opportunity of discussing with the Prime Minister in any great detail the implications of the withdrawal of services in particular areas across the North, but I did make points about security and the importance of keeping all communities active and motivated, which are related topics. I also visited Cricklewood Homeless Concern and the Safe Start Foundation, which are feeling the impact of the withdrawal of funding from local authorities in the UK on the voluntary services they provide, mainly to Irish emigrants, some of whom emigrated in the 1950s and are now in need of assistance. In that regard, we referred to the Secretary of State's proposal on a reduction of the corporation tax rate in Northern Ireland. Obviously, this is a matter that will require the attention of the elected representatives of the Assembly as to how it might be implemented — if it is to be implemented. We also discussed how important it is for the new Assembly, whoever may be elected, to get down to detail on how to transform the economy of Northern Ireland to where we want it to be. The Deputy will be aware over the years of the extent to which the public service and its working numbers impact on the Northern Ireland economy. The document already produced about transforming that economy has implications in that regard. Matters are somewhat on hold, therefore, until the Assembly elections are out

of the way and the new Assembly and Executive are put in place, when these issues will become of particular priority.

As to the conclusion of my meeting with the Prime Minister yesterday, we both agreed that in circumstances where there is need to make a direct call about an issue regarding Northern Ireland or any other matter of mutual interest, we should do so.

Deputy Micheál Martin: What about the Pat Finucane case?

The Taoiseach: The Prime Minister raised that matter. I reminded him of the expressions of interest adopted unanimously by this House. As I noted in my reply, I understand the British Government is working continuously to see how this might best be resolved. In addition, I met Mrs. Finucane in Washington and discussed the issue with her.

Deputy Gerry Adams: With the Taoiseach's indulgence, I return to Questions Nos. 11 and 17, as separate matters. Regarding the other issues, a great deal of important work can be done in terms of the implementation bodies, the Council of Ministers and all the areas of agreement. The only policy position the Government can hold is to expand and build on these. The stance from thinking Unionists, particularly those in the civic and business sector, is to be part of all of that. I commend a recent memorandum of understanding between Louth County Council and the Newry and Mourne Council. This is a joined up approach to tourism and all other matters of mutual interest in that region. Will the Taoiseach encourage such initiatives?

Cuirfidh mé ceist eile faoi cheantair mar sin. An mbeidh an Taoiseach ag cur chun cinn réigiúin an Teorainn a neartíonn cúrsaí soisialta, cultúrtha, turasóireachta agus na ceangail eacnamaíochta idir na ceantair agus an pobal i bhfoisceacht an Teorainn? Ar ábhar eile, will the Taoiseach reaffirm the commitment of the last Government to the new satellite radio-therapy unit at Altnagelvin Hospital which will treat people from the entire north-western region?

The Taoiseach: Aontaím gur cóir go mbeadh forbairt tras-Teorann ann idir na réigiúin. Nuair a bhí mé mar cheannaire ar an Fhreasúra, bhí coiste speisialta bunaithe againn faoi chinnireacht an Teachta Seosamh Mac Aodh i Dún an nGall agus bhí cúpla cruinniú idir muid fhéin agus cuid d'oifigigh poiblíón Tuaisceart i leith ábhair faoi leith.

It is important that the impact of whatever economic policies are pursued be relevant to the Border and cross-Border communities. When we get out of this set of economic difficulties everybody wants to see a situation in which all regions can rise economically and people can have opportunities for work and employment without being diverted by those who would seek to subvert our democracy.

In respect of the radiotherapy facilities at Altnagelvin, on 23 March the Minister for Health and Children, Deputy James Reilly, wrote to the relevant Minister, Mr. Michael McGimpsey MLA, and confirmed that this Government would continue to support the provision of facilities at that hospital. He further confirmed that since approximately one third of the patients who receive radiotherapy there may be from the South, we would contribute broadly that range of support for the facilities at Altnagelvin.

Deputy Gerry Adams: I put question No. 11 to the Taoiseach before he went to meet the British Prime Minister and it is a direct question: to ask the Taoiseach if he will raise directly with the British Prime Minister the need for the British Government to accede to the unanimous request of Dáil Éireann in July 2008 for all files and other information in respect of the Dublin and Monaghan bombings. From listening to his answer, I can only deduce that he did not put this directly to the British Prime Minister, that he did not raise directly a question I

[Deputy Gerry Adams.]

raised here previously about 50:50 recruitment in the PSNI or that he did not deal directly with the important question of the Dublin-Monaghan bombings.

The British Government has consciously and deliberately resisted the demands of the victims, the 34 people who were killed and others who were injured, for a long time. It is actively resisting the outpouring from this institution, this Parliament, from the commission of inquiry established by the Government and from the sub-committee which concluded that since we are dealing with acts of international terrorism in which the British security forces colluded, the British Government cannot legitimately refuse to co-operate with investigations or attempts to get to the truth.

I understand and appreciate the point made by the Taoiseach to the effect that there are many other victims of violence and conflict who are also looking for truth. Sinn Féin has put forward proposals about trying to get the truth which I would be pleased to discuss with anyone. However, in this case it is a direct issue. The Taoiseach met the British Prime Minister. He represents us, the people of this State and those who were victims on that day. Did the Taoiseach ask the question directly? If he did, will he inform us of the British Prime Minister's reply?

Deputy Clare Daly: The Taoiseach's account of the history of the Dublin-Monaghan bombings serves to avoid the essential issue, that is, the outstanding matters which remain in respect of this case and what the Taoiseach has done to discuss them. We are all aware, as Deputy Adams has stated, that the outstanding issues include the fact that the British Government refused to co-operate with Mr. Justice Barron and with requests of this House and successive Governments to allow independent, international access to original documents held in respect of the atrocities carried out.

Does the Taoiseach not believe he has a responsibility to these families who have suffered now for 37 years and who have sought answers to questions about the horrendous events which took place, the anniversary of which coincides with the visit of the Queen? Does the Taoiseach not consider it a lost opportunity that he did not appear to press the issue when he met Mr. Cameron? Crucially, what does the Taoiseach propose to do concretely with regard to this issue?

The Taoiseach: I did not travel to London to raise deliberately that specific question, no more than I travelled to London to raise specifically the question of a reduction in the interest rate of the loan given by Britain, as some people seem to believe. I cannot put it more powerfully than Nuala Kerr in respect of the killing of her son on the importance of the conviction and the courage of young Catholic men and women who wish to join the PSNI and that his death should not prevent or hinder them or provide an obstacle to their so doing. I am aware of the conclusions of the Patten report in respect of the 50:50 arrangement. The Tánaiste referred to this in discussions with the Secretary of State yesterday and I have raised the matter previously on other occasions. We must be cognisant of this issue in the context of proper and effective policing and the way in which the PSNI has been able to deliver to date.

I had direct contact with a small number of the families who lost loved ones in the Dublin and Monaghan bombings on Friday 17 May 1974, when 33 civilians and an unborn child died and 258 people were injured as a consequence of the four explosions. We have had the report of the Barron commission of inquiry and the commission of investigation undertaken by Mr. Patrick McEntee. In July 2008, there was a unanimous all-party motion in respect of the Dublin-Monaghan bombings, which urged the Government of the United Kingdom of Great Britain and Northern Ireland to allow access by an independent international judicial figure to all

original documents held by the British Government relating to the atrocities that occurred in this jurisdiction, and which were inquired into by Justice Barron, for the purposes of assessing said documents with the aim of assisting in the resolution of these crimes. In the context of these issues, I raised the matter yesterday and there is agreement that we should take all cases, which are all sensitive, personal and real, but we do not want a plethora of open ended investigations and tribunals and committees going on. Against that background, I referred specifically to the issue of the Dublin and Monaghan bombings.

On the visit of the Queen, I told the Prime Minister that I had heard reports that there may well be some minor protests but I want to make clear that these are not by Justice for the Forgotten, which has confirmed to me that the group has no intention of protesting when the Queen visits.

An Leas-Cheann Comhairle: Going by the list from the Ceann Comhairle, I must now call Deputy Joe Higgins.

Deputy Gerry Adams: The Ceann Comhairle said he would give me some leeway on this issue and I am sure Deputy Higgins will give way for a few seconds.

An Leas-Cheann Comhairle: The Deputy must be brief as we must move on to questions to the Minister for Defence.

Deputy Gerry Adams: The Taoiseach did not ask the British Prime Minister to hand the files over; that is all we can take from his response. He said there may be minor protests. Justice for the Forgotten has made it clear it will not organise a protest during the visit by the Queen of England, that it will organise a day of commemoration for those killed on that day. Is the Taoiseach aware that funding for Justice for the Forgotten, the only victims' group in the State, has been cut? Not only does the Taoiseach not raise the case, this is how the group is treated. The group, however, has made it clear that it wants those files.

Deputy Joe Higgins: Does the Taoiseach understand my amazement that he told us he discussed the narrow issue of security with the British Prime Minister but not the devastating consequences of the cuts to social programmes and public services? Do the Taoiseach and the Prime Minister not understand that the social deprivation and misery in many working class areas in the North will be worsened considerably by these draconian cuts? That is grist to the mill for dissident republican and loyalist groups to mislead again alienated youth into the cul-de-sac, as happened in the 1970s and 1980s.

The Taoiseach said this power-sharing Assembly has lasted a term and he is proud of that. What is the point of a power-sharing Assembly which meekly implements, be it under Sinn Féin, SDLP, DUP or UUP, a range of savage cuts in the interests of British banks and big business that will result in desperate consequences for the working class, in the same way the Taoiseach is implementing IMF-EU cuts here at the expense of our people?

The Taoiseach: I find it astonishing that Deputy Higgins would decry the right of the people of Northern Ireland to have a democratically elected Assembly, the first in very many years that has served its full term in a period where peace and stability have been brought to both communities. It is astonishing that the Deputy should decry the value of what he referred to as a "power-sharing arrangement" and which deals with the communities on both sides of the divide in Northern Ireland.

I fully understand the difficulties with which those on both sides of the divide who live in deprived and vulnerable areas are being obliged to contend. I remind the Deputy that a number of years have passed since I travelled to Northern Ireland to meet 13 commanders of the

[The Taoiseach.]

loyalist community in such a deprived area in order to express to them — along with a number of other public representatives from different parties — the value, for the areas they represented, of participating in democratic politics in the context of the services and opportunities that could be provided to young people in order that, unlike their predecessors, they might not become involved in violence, criminal activities and so on.

From that point of view, Deputy Higgins should be very understanding with regard to the value of the Northern Ireland Assembly. When I discussed the question of deprived areas with the British Prime Minister yesterday, we both agreed that we would like the next Assembly continue to deal, in peaceful circumstances, with the reality of people's everyday lives, with the responsibility of transforming the economy of Northern Ireland and with voting on and dispensing with the budget relating to the services which must be provided for the people of the North.

Deputy Joe Higgins: Billions in cuts. That is the reality.

The Taoiseach: We will continue to support the development of the all-island economy where it impacts to the benefit of both jurisdictions, namely, the Twenty-six Counties and Northern Ireland. I am flabbergasted that someone such as the Deputy should decry the value of a democratic body such as the Assembly, which has brought peace and stability to Northern Ireland. With few exceptions, the people of this island decry the events which resulted in the murder of Constable Ronan Kerr.

Priority Questions

Army Barracks

38. **Deputy Dara Calleary** asked the Minister for Defence if he will make a commitment that there will be no further barracks closures. [8406/11]

Minister for Defence (Deputy Alan Shatter): I cannot give a commitment that there will not be further programmes of barrack consolidation. The defence property portfolio is kept under review to ensure the most effective use of military resources having regard to the roles assigned by Government to the Defence Forces. The consolidation of the Defence Forces formations into a smaller number of locations is a key objective for me as we strive to maximise the effectiveness of the Defence Forces. The dispersal of personnel over an extended number of locations has been identified as a major impediment to essential collective training. It also imposes increased and unnecessary overheads on the Defence Forces in terms of barrack management, administration, maintenance and security.

In the context of the 2009 budget, the previous Government announced the closure of four barracks — Monaghan, Lifford, Longford and Rockhill House, Letterkenny — which has been achieved and also St. Bricin's Hospital in Dublin. The consolidation of St. Bricin's is linked to the provision of modern medical facilities within the existing departmental property portfolio. The Deputy will also be aware that the special group on public service numbers and expenditure programmes recommended the closure of Cathal Brugha Barracks, Rathmines. However, Cathal Brugha Barracks is a very significant installation with a wide range of military facilities, accommodation and storage depots and its closure at this time would have significant financial implications.

With regard to further barracks closures, the position is that this issue will be kept under constant review. Should the need arise, from an operational position or as a way of utilising

scarce resources in a more beneficial way, consideration may be given to the closure of further barracks.

Deputy Dara Calleary: I thank the Minister for his reply. At the outset I wish to diverge slightly from the subject matter of the question and commend the Minister of his decision to hold an inquiry into the events which occurred in the Lebanon some 20 years ago. He has my full support in respect of that inquiry.

When in opposition, the Minister's party vehemently opposed the closure of the four barracks to which he referred. The policy to date has been that the money raised from the sale of barracks has been reinvested in the Defence Forces in the context of purchasing new equipment and paying for the modernisation of other barracks. If there are to be further closures, will the Minister provide a commitment to the effect that the policy to which I refer will remain in place? Is he in a position to update the House with regard to the process relating to Connolly Barracks in Longford, the Lifford military post and Monaghan Military Barracks? I am seeking to ensure that responsibility for the barracks in Monaghan has been transferred fully from the Department of Defence to the Department of Education and Skills, which is to establish a VEC campus there.

Deputy Alan Shatter: As the Deputy may know, a total of €85 million was received in respect of the sale of seven barracks at Ballincollig, Fermoy, Naas, Castleblayney, Monaghan, Longford and Islandbridge — latterly called Clancy Barracks — which has been closed for over 12 years. Only part of Longford Barracks was closed. Should barrack closures occur in the future, I would be anxious that we should continue with the approach that was adopted previously, namely, that the money obtained should be reinvested in the Defence Forces. As a result of the way in which moneys have been dealt with in recent years, the Defence Forces have been in a position to modernise buildings and procure up-to-date equipment. Such equipment is extremely important in the context of domestic duties and peacekeeping operations. I do not intend to depart from such an approach should it prove necessary for barrack closures to take place.

Deputy Dara Calleary: Is there a list of barracks within the Department relating to barracks which may be considered for closure? When the Minister entered the Department was he briefed in respect of any barracks that may be considered either for closure or within the context of decentralisation?

Deputy Alan Shatter: There is no list of potential barrack closures. In the context of the overall resource limitations within which the Government is operating and by which my Department is affected, we are considering how best to use the resources available in order to maintain the Defence Forces at the very high level at which they currently operate and provide an efficient and streamlined defence establishment which will be both fully operable and capable of meeting its civil and international obligations. It is my intention to proceed along that route. There is no hidden list relating to potential barrack closures. However, an overall review is being conducted in the context of the financial stringencies impacting on the Government as a consequence of the huge financial with which we are confronted and our obligations pursuant to the EU-IMF agreement concluded in December last.

Defence Forces Personnel

39. **Deputy Jonathan O'Brien** asked the Minister for Defence if the drug Lariam remains on the approved list of drugs given to the Defence Forces for services overseas in areas affected

[Deputy Jonathan O'Brien.]

by Malaria in view of the controversy regarding its side effects; if other anti-malaria drugs have been approved for use; and if he will make a statement on the matter. [8523/11]

Deputy Alan Shatter: Lariam is a chemo prophylactic agent first authorised for use in 1989 by the Irish Medicines Board which is the statutory body charged with regulating the use of medicines to ensure the quality, safety and efficacy of medicines available in Ireland. It remains the medication of choice for the Defence Forces for overseas missions to certain malarious areas. While certain risks associated with the use of the drug were highlighted in drug safety newsletters in 1996 and 2003, the Irish Medicines Board remained of the view that the benefit-risk profile for the product remained acceptable. The board continues to review the safety of this and all other medicines on an ongoing basis and updates the product information as appropriate.

In accordance with best practice in prescribing this medication — and taking account of the contra-indications, warnings and side effects highlighted by the Irish Medicines Board — the Defence Forces screen all personnel for medical suitability. The screening system rules out from overseas service personnel with certain conditions such as, for example, depression, anxiety, neurodegenerative disorders, etc., which, as has been indicated by the Irish Medicines Board, are more likely to precipitate serious adverse reactions to Lariam. Pregnant personnel are also excluded.

In the case of overseas missions to malarious areas, the medical screening involves an assessment of the individual's suitability to be prescribed the selected anti-malarial agent in line with current Irish Medical Board guidelines. This typically involves review of the individual's previous experience, if any, with the medication. His or her medical history is also screened for those conditions which have been identified as precipitating serious side effects in association with the medication. In addition, blood tests are carried out to ensure that the liver is healthy, as liver disease is an accepted contraindication to the use of Lariam.

It is the policy of the Defence Forces medical corps that personnel found suitable for Lariam should commence their medication three to four weeks in advance of their travel. The purpose of this precaution is twofold. While it allows a slow build-up of the medication in the bloodstream, it also permits assessment by the person of his or her individual reaction to the medication while still in Ireland. During this probationary period the individual can consult a medical officer over any adverse reaction, minor or major. Some minor reactions may be transient, but if persistent or troublesome, the individual will be deemed to have sensitivity to the medication and found not medically suitable for the mission.

Additional information not given on the floor of the House.

The Defence Forces take all necessary precautions in assessing the suitability of personnel before prescribing Lariam in accordance with the prescribing instructions and information provided by the Irish Medicines Board. Personnel are screened both before and after deployments and all necessary actions are taken to ensure those with contra-indications to Lariam use are deemed unsuitable for overseas service and not prescribed the medication.

There are three other anti-malaria medications available: Chloroquine, Malarone and Doxycycline. However, in the case of each of these products there are specific reasons they are not suitable for use by the Defence Forces in sub-Saharan Africa which I will now set out. Chloroquine is no longer in use because of the development of widespread resistance. Doxycycline has to be taken in the absence of dairy products and can produce sun-sensitivity skin rashes in some individuals. This is particularly significant when used in very sunny climes. For this reason, it is not recommended for first-line use by the Defence Forces in sub-Saharan Africa. Malarone

is unsuitable for use as it is licensed by the Irish Medicines Board for no more than 28 days continuous use in a malarious area. In this context, this prophylactic agent is only suitable for use where the overseas deployment does not exceed 28 days.

These are among the reasons Lariam remains the anti-malaria chemoprophylactic agent of choice in areas where the predominant species of malaria is the virulent *Plasmodium Falciparum*. Lariam, therefore, is the agent of first choice on any sub-Saharan missions undertaken by the Defence Forces. On the other hand, Doxycycline is the anti-malaria chemoprophylactic agent of choice in Afghanistan where the predominant species of malaria is the less virulent *Plasmodium Vivax*.

Deputy Jonathan O'Brien: Is the Minister aware that a number of reports have been made to the Irish Medicines Board on the use of this drug? Has his Department been given notice of possible compensation claims resulting from its use? He has said Defence Forces personnel are medically tested before serving abroad. However, there is no medical testing of personnel on their return. Since February 2009, the United States army no longer lists Lariam as the preferred anti-malaria drug. It now uses an alternative. Is Lariam used because it is the cheapest anti-malaria drug on the market? Is this why we continue to use it despite warnings about its safety?

Deputy Alan Shatter: The reason we use the drug is not because it is the cheapest on the market. Three other anti-malaria medications are available: Chloroquine, Malarone and Doxycycline. However, there are specific reasons each of these products is not suitable for use by the Defence Forces in sub-Saharan Africa, the area in which the drug has been used. Chloroquine is no longer in use because of the development of widespread resistance. Doxycycline has to be taken in the absence of dairy products and can produce sun-sensitivity skin rashes in some individuals. This is particularly significant when used in very sunny climates. For this reason, it is not recommended for first-line use by the Defence Forces in sub-Saharan Africa. Malarone is unsuitable for use as it is licensed by the Irish Medicines Board for no more than 28 days continuous use in a malarious area. Therefore, this prophylactic agent is only suitable for use when the overseas deployment does not exceed 28 days.

With regard to the extent of problems resulting from the use of Lariam, there are three members of the Defence Forces with serious symptomatology which may have been caused or contributed to by Lariam, although there is nothing conclusive in this regard. I am also advised by the military authorities that all three personnel have made a full recovery and that their cases have been reported to the Irish Medicines Board. In addition, I understand there is a further cohort of seven personnel with less dramatic symptomatology who remain under review. Again, there is no conclusive evidence that the use of Lariam was a factor in any of these cases.

I understand the United States defence forces stopped using the medication owing to concern about inadvertent prescribing of the drug to soldiers who should not take it. The United States defence forces did not carry out an assessment in advance of soldiers using Lariam of the contra-indications of use or whether its use was appropriate. Instead, the US authorities undertook mass administration of a drug, Lariam, which is, essentially, for soldiers serving in areas subject to malaria. The US defence forces have ceased using the drug. They are now using another drug, one of the ones the Irish Medicines Board has passed and to which I made reference but which is only recommended in this state for use by the Defence Forces continuously for no longer than 28 days.

Deputy Jonathan O'Brien: Will the Minister continue to monitor the use of Lariam? He has said the US army no longer uses it. There is a reason for this. A number of US personnel

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reported side effects, as has happened in this state. Does the Minister know of any suicides by people who had taken this medicine?

Deputy Alan Shatter: I am unaware of a suicide by any member of the Defence Forces linked to this medicine. The US defence forces stopped using Lariam because they had not undertaken medical examinations to ascertain whether there were contra-indications, as are undertaken in this state before soldiers are posted abroad on UN missions. The US defence forces mass-prescribed it without undertaking any checks. That gave rise to particular problems in the way they dealt with the matter. There are substantial numbers of deaths from malaria every year in areas subject to it. The prescribing of this drug provides members of the Defence Forces with protection against malaria that is crucial if they are to engage in peacekeeping missions in areas where malaria is prevalent. It is the job of the Irish Medicines Board to keep any drugs prescribed in any circumstances in the State under review, including those made available to the Defence Forces for any purpose. I presume it will keep Lariam under review, as it has been doing up to now.

Decentralisation Programme

40. **Deputy Catherine Murphy** asked the Minister for Defence when it is likely that the proposed centralised Head Office of the Defence Forces will be completed; his views that the establishment of such a headquarters is of vital importance in streamlining the workings of the Defence Forces; the factors preventing the establishment of such a headquarters; and if he will make a statement on the matter. [8597/11]

Deputy Alan Shatter: The previous Government's decision on decentralisation provided for the transfer of the Department's Dublin-based Civil Service staff, together with a number of military personnel, to Newbridge, County Kildare and the decentralisation of the Defence Forces headquarters to the Curragh. Decentralisation to Newbridge took place in November 2010. There are now approximately 170 civil servants and 50 military personnel located there. The move to Newbridge sees all civil branches of the Department located either in Newbridge or Renmore, County Galway. The Chief of Staff, Deputy Chiefs of Staff, the director of strategic planning and other relevant military staff have also relocated as planned.

Defence Forces headquarters is distributed between five locations. Unfortunately, the level of priority afforded to the Defence Forces by the previous Government did not ensure Defence Forces headquarters was centralised at the same time, or in advance of the Department of Defence moving to Newbridge. I would have thought it was of greater importance to centralise Defence Forces headquarters than the civil side of the Department of Defence. I find the prioritisation in that approach to an important issue very strange. The original decision on decentralisation provided for two buildings, one in the Curragh and one in Newbridge. The civil and military elements of the Department were to be accommodated between the two buildings. However, the previous Government decided to defer proceeding with decentralising Defence Forces headquarters to the Curragh.

It is clearly preferable to have all of the key managers, both civil and military, working in close proximity. The Department is actively pursuing options to address this situation. The use of existing departmental property in the Curragh is being considered as an alternative to a new building. Discussions in this regard are ongoing with the Office of Public Works. Only a week or so ago I visited the Curragh to examine the possible site and the nature of the works that might be necessary to provide the centralised headquarters that should have been put in place some years ago.

Deputy Catherine Murphy: I completely concur with the Minister that the level of priority was the reverse of what it should have been. I understand there is an internal memo which states there are serious operational difficulties as a consequence of not having a centralised headquarters. I presume risk assessments are made all the time. Senior officials of the Defence Forces will never say they cannot do their job. However, it should be of concern to us that such a situation arose. Is it likely that there will be a fall-back position in the foreseeable future? Are we talking about an excessively long period to remedy this problem? What can be done to overcome the operational issues in the meantime? Five years ago we would not have thought our banks would be accorded junk status and our economy would have collapsed. When it comes to the Defence Forces, we like to think they are somewhere in the background which is where they should be. A system of risk analysis would help us foresee the kind of issues that could present.

Deputy Alan Shatter: Despite my concerns about Army headquarters and Defence Forces headquarters being dispersed through five different locations, I have no doubt about the capacity of the Defence Forces to fulfil their duties and meet requirements. I am very impressed by their commitment. The senior military managers, the directors of specific corps such as transport, ordnance, communications, and so on, and their staff, are currently located in five locations — McKee Barracks, Saint Brigid's in Infirmary Road, Cúláiste Caoimhghín in Glasnevin and Clonmel Barracks. However, the current situation is entirely unsatisfactory. I am very anxious that it is addressed. I am conscious of the difficulties because of the current financial climate. I actively engaged on this issue from the moment I was appointed Minister for Defence. I have had discussions within my Department about this and with the Chief of Staff and other members of the Defence Forces. I will do what I can to bring about a more rational situation whereby headquarters staff operate from a single building and in a manner that facilitates efficiency, co-ordination and co-operation at the highest level. I have no doubt that at present, the Defence Forces, even with these difficulties, are performing at the highest level and to the maximum of their capability.

Deputy Catherine Murphy: What are the serious operational issues?

Deputy Alan Shatter: I am not aware of serious operational issues. The current situation is inefficient and inappropriate and it is not favoured by the Defence Forces. Quite clearly we need centralised headquarters. My objective is to identify how that can be best achieved within the current difficult financial circumstances. I hope we will make some progress in the coming months to put in place a plan which the Government will be able to adopt and implement.

Security and Defence Policy

41. **Deputy Dara Calleary** asked the Minister for Defence if he is committed to retaining the UN resolution component of the Triple Lock; and if he will make a statement on the matter. [8407/11]

Deputy Alan Shatter: Ireland's international security and defence policy context is defined by our policy of military neutrality, an active political and operational role in support of the United Nations, our commitments to the United Nations stand-by arrangements system, our participation in the evolving Common Security and Defence Policy and our participation in NATO's Partnership for Peace. Ireland has accorded central importance to the United Nations since it became a member in 1955 and, within the UN system, has supported effective international action in areas such as disarmament, peacekeeping, development and human rights. Ireland has taken seriously its obligation under the United Nations Charter to make available to the Security Council its armed forces, assistance and facilities, to contribute to the mainten-

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ance of international peace and security. This is reflected in Ireland's long and well-regarded history of participation in overseas missions mandated by the United Nations. Ireland is a strong supporter of the UN and in accordance with Article 24 of the UN Charter respects the primary responsibility of the UN Security Council in the maintenance of international peace and security. The existence of such UN mandates confers legitimacy upon and acceptance of peace support operations by groups engaged in conflict.

Successive Governments have made it clear that the triple lock provisions, as provided for in the Defence Acts, would continue to apply to service abroad by contingents of the Defence Forces. Ireland's policy on this was most recently reinforced in the adoption by the people of the Lisbon treaty in 2009. Ireland's act of ratification of the Lisbon treaty was reinforced by the associated national declaration which states, "that the participation of contingents of the Irish Defence Forces in overseas operations, including those carried out under the European common security and defence policy requires (a) the authorisation of the operation by the Security Council or the General Assembly of the United Nations, (b) the agreement of the Irish Government, and (c) the approval of Dáil Éireann, in accordance with Irish law."

That said, I would not wish that our legislative provisions would prevent the Defence Forces from participating in missions which support Ireland's underlying principles of providing support in the areas of international peacekeeping, humanitarian missions or peace support operations.

In the current volatile international security environment, this matter should be kept under review to ensure that in the absence of a Security Council resolution we are not found wanting should circumstances arise where the Government would wish to consider Defence Forces participation in a crisis calling for a response from the international community which conforms to Ireland's proud tradition in contributing to international peace and security. Ireland's policy on the triple lock provisions could be the subject of constructive public debate in the formulation of the next White Paper on defence. As matters stand, the triple lock remains part and parcel of Government policy.

Deputy Dara Calleary: I wish to ascertain from the Minister the exact position. He has reinforced his commitment and that of the Government to the triple lock mechanism. However, the Fine Gael manifesto proposes that the triple lock be modified to allow the Security Council pass a resolution that should not prevent us from taking part in overseas missions. Our triple lock mechanism has worked on the basis that the United Nations has fully supported any of our international obligations. Fianna Fáil believes this can still be done in a crisis. The Labour Party is committed to retaining the triple lock. There is currently a divergence in Government policy. Are we to go the Fine Gael way or the Labour Party way or the Frankfurt way?

Deputy Alan Shatter: The Deputy is only trying to make mischief. I have set out quite clearly the Government position. The Deputy will be aware that a motion will be before the House on Thursday which deals with sending our troops to UNIFIL as part of a peacekeeping mission in southern Lebanon. We are complying with the application of the triple lock mechanism and we are in the third point of the triple lock in dealing with a resolution required from this House. However, these are issues that should be debated openly. The last Defence Forces White Paper was published in 2001. On occasion we become tied into perspectives on peacekeeping that can be unhelpful. We should have an open discussion and debate on these issues without trying to play party politics or score unnecessary points.

Difficulties arose on an occasion when we could have participated in a peacekeeping mission. I understand the circumstances arose with regard to the question of participation of the

Defence Forces in the first EU peace support operation in the former Yugoslav Republic of Macedonia which was launched in 2003. These circumstances related to the fact that while United Nations Resolution 1371 welcomed international efforts, including the efforts of the EU, to support the implementation of the UNRA peace agreement, it did not authorise an international United Nations force explicitly in the manner required by the Defence Acts. As a consequence, a peacekeeping mission that was necessary and desirable took place but Ireland was excluded from participation. It is important to openly debate these issues in a practical way, having regard to the very proud traditions of our Defence Forces in participating in peacekeeping missions, to ensure we can continue to do so in the future on occasions and in parts of the world where our assistance is sought.

Deputy Dara Calleary: I acknowledge that proud tradition. Unfortunately and owing to a previous engagement, I cannot be present in the House on Thursday morning but the Minister has Fianna Fáil's full support. What is the Minister's personal view of Ireland's potential involvement in a European security system as committed to in the Fine Gael manifesto? I do not wish to create mischief but there is no mention of the triple lock mechanism or a debate on triple lock and Ireland's neutrality, in the programme for Government. Is this an add-on to the programme for Government or is Fine Gael still trying to work it out with its colleagues in Government?

Deputy Alan Shatter: Ireland is part and parcel of the European security system in the context of contributing to and assisting in European Union contributions to peacekeeping and humanitarian missions. That is part and parcel of a programme to which the Deputy's Government subscribed and which it supported. I find it unusual that the Deputy should have any issue about the matter.

Deputy Dara Calleary: The issue is on the other side of the House.

Departmental Properties

42. **Deputy Jonathan O'Brien** asked the Minister for Defence if any lands owned by his Department are in the process of being sold; if he envisages any land being sold in the future; and if he will make a statement on the matter. [8524/11]

Deputy Alan Shatter: The Department of Defence has identified 33 properties for disposal. The properties are dispersed throughout the country. Their disposal will take account of market conditions to maximise the return to the Defence Forces and generate funding for reinvestment in equipment and infrastructure. The properties include married quarters located outside barracks, lands that are considered surplus to military requirements, vacated barracks and smaller properties that have no further military use. Agreement has been reached with regard to 25 properties or parts of larger properties. The remainder will be brought to the market as current sales are finalised. The property portfolio is being kept under review. The Department may seek to dispose of further properties in addition to the 33 that have already been identified. A recent value for money review on military training lands has identified some properties that should be considered for disposal. The Department is looking at these properties with a view to preparing them for disposal.

Deputy Jonathan O'Brien: Can the Minister tell the House how much money was raised when the properties in question were disposed of? Is it intended that the money will be ring-fenced for defence purposes? If so, has the Minister received a commitment from the Minister for Finance to that effect? Are any of the eight remaining properties that will go to the market suitable for use by local authorities that are keen to improve local facilities such as housing?

[Deputy Jonathan O'Brien.]

Open spaces could be used to develop community facilities, for example. Is it possible to get some information on the eight remaining properties that it is hoped will be brought to the market?

Deputy Alan Shatter: Agreement has been reached to sell 11 married quarters that are situated outside barracks to the occupants of those properties. Three areas of land in Kildare and two at Kilworth, County Cork, are to be disposed of to the National Roads Authority. Six properties in Kilworth, Lifford and Rockhill are being disposed of, partly to local authorities and partly to the Department of Education and Skills. Parts of the sites at Oranmore, County Galway, and Knockalisheen in Limerick are to be disposed of to other Departments or State agencies. Five other plots — two at Knockalisheen in Limerick and three at Fermoy — are to be sold to the occupiers, which are sporting organisations or have leases on the properties concerned. The Department expects to dispose of these properties for a total of approximately €5.1 million. These sales are currently with the Department's legal advisers, who are conducting the necessary conveyancing of the properties in the normal legal format. The proceeds of these sales will be reinvested in the Defence Forces. At this time of financial difficulty, it is particularly important to use such funds for the benefit of the Defence Forces. If other properties are surplus to requirements, I expect that any moneys accrued from their disposal will be similarly reinvested. I can put the details of the prices that were agreed for the individual properties on the record of the House if the Deputy wishes.

Deputy Jonathan O'Brien: No.

Deputy Alan Shatter: Perhaps it would take too much time to do so. The full details are available if the Deputy wishes to hear them.

Deputy Jonathan O'Brien: The Minister has said he intends that the €5.1 million will be reinvested in the Department of Defence. Does the Minister for Finance share that view? Has he given the Minister a commitment that this money will be ring-fenced? We are familiar with other cases in which we wanted money to be ring-fenced for use in our communities, but that did not happen. I refer to the case of the Criminal Assets Bureau, for example. The Minister's opinion and analysis of the matter is grand as long as the Department of Finance agrees with it.

Deputy Alan Shatter: I understand there is no difficulty about that.

Other Questions

Emergency Planning

43. **Deputy Denis Naughten** asked the Minister for Defence if he has satisfied himself with the level of support available to the Defence Forces to deal with severe weather emergencies; and if he will make a statement on the matter. [8273/11]

Deputy Alan Shatter: Last Friday, I chaired my first meeting of the Government task force on emergency planning. When I was appointed as Minister for Defence, I discovered I was responsible for this area. The meeting, *inter alia*, reviewed the response to the most recent spell of severe weather. I am satisfied that a significant and important role was played by the Defence Forces during the emergency. While the Defence Forces are not a principal response agency, as defined in the framework for major emergency management, they provide assistance in an aid to the civil authority role under the multi-agency framework. The representation on the

task force of my Department and the Defence Forces ensures the fullest co-ordination and co-operation with the appropriate lead Department in the event of an emergency. The Defence Forces are also represented on eight regional working groups that have been established under the framework to co-ordinate the work of the principal response agencies. Furthermore, designated members of the Defence Forces based around the country act as liaison officers to local authorities on an ongoing basis. I am satisfied that this arrangement works well.

The various procedures in place nationally and locally were seen to operate effectively when the Defence Forces responded to all requests for assistance received from the civil authorities during the recent period of severe weather from 27 November 2010 to 26 December 2010. All assets, resources and capabilities of the Defence Forces nationally were made available to the task force and its inter agency co-ordination committee during this period, for the purpose of providing assistance when it was not possible for other agencies and organisations to respond. The co-ordination committee, which met almost daily throughout the emergency, asked the Defence Forces to concentrate its support effort strategically on the HSE, mainly in relation to mobility tasks. Approximately 70% of all aid to the civil authority operations conducted by the Defence Forces were in support of the HSE. This proved to be an effective approach as transport was provided to HSE staff, including palliative care and community nurses who were visiting patients. Health workers, particularly doctors and nurses, were transported to their places of work and between hospitals as the need arose. Assistance was provided to those involved in the delivery of meals on wheels. Focused ice and snow clearing operations were carried out throughout the country. Particular efforts were made to maintain the safety of public infrastructure and key transport hubs. Overall, the response of the Defence Forces proved to be extremely effective.

Deputy David Stanton: Is the Minister satisfied that the Defence Forces are equipped to the level required to carry out any tasks that may be asked of them? I refer particularly to the emergencies associated with flooding and cold, snowy weather. Are there any plans to augment the equipment of the Defence Forces? Is it not the case that the Defence Forces have to be requested to make assistance available, as they cannot make such decisions themselves? Is the Minister familiar with cases in which local authorities were slow to ask the Defence Forces for help because they were worried it might reflect badly on their own capabilities? Can the Minister, in his capacity as a member of the emergency task force, ensure the Defence Forces are called in to help at the earliest opportunity, rather than at the very end? Their involvement should be not be the last resort. It should be called upon as soon as possible in these situations.

Deputy Alan Shatter: The Deputy is right to say the Defence Forces have to be requested to assist the civil power. The Department of Defence chairs the task force and is well represented on it. Essentially, a co-ordinating operation is implemented through the task force.

4 o'clock The Department primarily responsible becomes the lead Department. My understanding is that the assistance of the Defence Forces was provided in all circumstances in which it was sought. The Deputy asked whether we are equipped to the level required. The Defence Forces were not found wanting when called on to address the recent weather difficulties. One of the great difficulties we encounter when dealing with the level of snow that fell in November and December is that it is always pointed out that additional and more sophisticated equipment could be purchased. There is a contrast between the type of equipment available to us and that used to deal with snowstorms in Chicago, where major difficulties of this nature are regularly encountered. The United States authorities have much more equipment of a far more sophisticated nature than we have in this State, simply because they deal with these sorts of incidents with greater regularity. The equipment we have is designed for a type of event that occurs infrequently. It is clear that we need to keep the matter

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under review. If a major effect of climate change is that extreme snow events take place with greater regularity in Ireland, we may have to review our equipment requirements. As matters stand, I am satisfied the Defence Forces have the equipment required.

Deputy Catherine Murphy: There appears to be resistance to calling in the Army to undertake footpath clearance. Kildare was, I believe, the first county to request such assistance. This type of work provides major benefits, including for hospitals. Is there a hierarchy of issues for calling in the Army and, if so, are footpaths at the lower end of it?

Deputy Alan Shatter: The Defence Forces can be asked to provide assistance in accordance with the agreed multi-agency framework for major emergency management. This can include, where necessary, dealing with the issue of footpaths. Representation on the task force by my Department and the Defence Forces ensures the fullest co-ordination and co-operation with the lead Department — in the circumstances which occurred in November and December 2010, the Department of the Environment, Heritage and Local Government was the lead Department — in determining how the resources available are to be prioritised. Whether it is footpaths or national and local roads, ultimately the Department of the Environment, Heritage and Local Government determines priorities based on the difficulties being experienced and resources available.

Army Barracks

44. **Deputy Denis Naughten** asked the Minister for Defence the planned developments at Custume Barracks, Athlone, County Westmeath; and if he will make a statement on the matter. [8274/11]

Deputy Alan Shatter: The Department is engaged on an ongoing capital building programme designed to modernise and enhance the training, operational and accommodation facilities available to members of the Defence Forces. Under this programme there has been considerable capital investment in Custume Barracks. The most recent major projects include the construction of a new gymnasium, refurbishment of the Watergate Building as office accommodation and a gas and water main upgrade. The construction of new armoured vehicle garaging is under way in addition to the provision of new underground services and associated works. There are also plans to upgrade the electrical transformer later in the year. Approximately €4.5 million of the capital budget has been invested in Custume Barracks over the past three to four years.

Overseas Missions

45. **Deputy Richard Boyd Barrett** asked the Minister for Defence the contributions Ireland has made or is considering making to the recently established EUFOR Libya military mission; if he envisages that the Nordic Battle Group will be deployed in this context; and the assurances he has received that EU forces operating as part of EUFOR Libya will not be confused with the forces of EU member States which are attacking Libya as part of Operation Unified Protector. [8389/11]

Deputy Alan Shatter: On 1 April 2011, the Council of the European Union adopted the decision, underpinning the mandates of UN Security Council Resolutions 1970 and 1973 (2011), establishing an operation called “EUFOR Libya” to stand ready to support humanitarian assistance in the region if requested by the United Nations Office for the Co-ordination of Humanitarian Affairs, OCHA. This decision provides the legal framework for Operation EUFOR

Libya. However, any decision to launch the EU military operation would require a further decision of the EU Council and must be preceded by a request from OCHA.

The aim of this mission would be to contribute to the safe movement and evacuation of displaced persons and support, with specific capabilities, the humanitarian agencies in their activities. To ensure the European Union is in a position to respond quickly to any such request from OCHA the Council decision provided for the establishment of an operational headquarters in Rome to undertake initial planning for any such mission. It also provided for the appointment of an operational commander. Ireland has been requested by the operational commander to deploy two Defence Forces personnel to the headquarters in Rome. This matter is under consideration in my Department and any such proposal will be subject to Government approval under the Defence Acts.

At present, the UN position is that there is currently no requirement for the deployment of military assets for humanitarian purposes. OCHA has reiterated that military assets should only be used for humanitarian purposes when all civilian alternatives are fully explored and it is operating on this basis. Therefore, it is unlikely the European Union will be called upon to deploy such a mission in support of OCHA in the immediate future.

As I understand it, there are no plans to deploy the Nordic battle group as part of the EUFOR Libya military mission and we did not have any discussion in that regard. If deployed, EUFOR Libya would not be an occupation force but an operation to support humanitarian assistance in the region. All EU forces operating as part of EUFOR Libya would honour the United Nations Office for the Co-ordination of Humanitarian Affairs guidelines on impartiality and neutrality. The operation, if launched, would remain independent of any armed or political faction and exclude any occupation of or attempt to occupy Libyan territory. Any deployment of EUFOR Libya would be conducted in close co-ordination and complementarity with the other international actors operating in the region and neighbouring countries, including Egypt and Tunisia.

Deputy Richard Boyd Barrett: While I welcome the news that no definite decision has been made on deploying military personnel, I ask the Minister to indicate that Ireland will not consider deploying military personnel as part of this operation. Notwithstanding the humanitarian justification that may be provided, NATO forces are engaged in aggressive military action in Libya which goes far beyond the scope of humanitarian intervention, particularly in the aftermath of the joint statement made by Prime Minister Cameron, President Obama and President Sarkozy in which they refer to regime change.

An Leas-Cheann Comhairle: The Deputy must ask a question.

Deputy Richard Boyd Barrett: Will the Minister provide a firm assurance that Ireland will not in any way provide assistance or deploy military personnel to what is revealing itself increasingly as an aggressive military action for regime change which is contrary to international law? It is increasingly clear that this is about big powers trying to secure their oil and other interests in Libya and does not have anything to do with humanitarian intervention.

Deputy Alan Shatter: I never cease to be amazed at the manner in which the Deputy approaches matters. He may have noticed that if not for the intervention of the British, French and Americans, the population of Benghazi would probably be under Gadaffi rule and many thousands of civilians would have lost their lives. The town of Misrata is under siege while the town of Ajdabiya has been subject to rocket attacks by the forces of the Libyan leader. Whereas we are not engaged in activities in the region, the deployment that has occurred falls within

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the United Nations resolution which is designed to provide a degree of protection for the population in that region.

I noticed with some interest that Deputy Boyd Barrett is chair of the steering committee of the international war movement.

Deputy Richard Boyd Barrett: It is the anti-war movement.

Deputy Alan Shatter: Last Friday, it engaged in the meaningful act of picketing the European Union offices about Libya. How did that go? Did the Deputy find after the picket that Colonel Gadaffi had stopped bombing and trying to murder his own population? Did he discover that this was a particularly effective approach to take in addressing the intent of a murderous regime?

Deputy Boyd Barrett has an unfortunate propensity to demonstrate public support for international political leaders who lack any real democratic mandate or inhibition in torturing or murdering their own people. In the circumstances, it is not surprising he should have raised his question in this way. While he is pretending, on the one side, to have some concern for the civilian population of Libya, in reality he is clearly a supporter of the Gadaffi regime. It is extraordinary that he publicly attacks western democracies which are seeking to provide protection for innocent civilians and even more extraordinary that he should be opposed to this State, should it be asked to do so, engaging in a humanitarian mission to save lives with our European partners.

Deputy Richard Boyd Barrett: I ask the Minister to withdraw what is an outrageous and unfounded claim that I am supporter of the Gadaffi regime. Not only am I not a supporter of Gadaffi, who is a brutal dictator, but I would like to see him overthrown. I have stood on a number of protests in recent weeks with members of the Libyan community who are opposed to Gadaffi and seek his overthrow and did not notice the Minister on any of the demonstrations. One of his former party colleagues, Peter Sutherland, signed an oil deal with Gadaffi in 2004, while western governments have armed and financed the Gadaffi regime, thereby giving him the means to butcher his own population.

An Leas-Cheann Comhairle: A question, please.

Deputy Richard Boyd Barrett: The Minister has no lessons to teach me about opposing dictators.

An Leas-Cheann Comhairle: What is the question?

Deputy Richard Boyd Barrett: Does the Minister accept, as many are now saying in Britain, including the British political establishment, and throughout the world, that the western military intervention in Libya goes way beyond the remit of a claimed humanitarian mission and is actually about regime change, as stated explicitly by Mr. David Cameron, President Nicholas Sarkozy and President Barack Obama? Will we state clearly that we will not involve ourselves in supporting, in any shape or form, an aggressive military intervention to secure oil interests in Libya?

Deputy Alan Shatter: The Deputy seems to be of the view that his protesting is effective in stopping Colonel Gadaffi from butchering his own civilian population. That seems to be the Deputy's rather confused view.

Deputy Richard Boyd Barrett: Will the Minister withdraw the claim that I support Colonel Gadaffi?

Deputy Alan Shatter: Unfortunately, so far, the Deputy's protests have not impacted greatly on Colonel Gadaffi.

Deputy Richard Boyd Barrett: Neither have the bombings.

Deputy Alan Shatter: Perhaps the Deputy might send Colonel Gadaffi a video of his protesting outside the European Union offices in Dublin. I am sure he will be impressed.

Deputy Richard Boyd Barrett: It got rid of President Mubarak.

Deputy Alan Shatter: On the UN position, as I said, there is no requirement for the deployment of military assets for humanitarian purposes. With regard to the role of the NATO-led operation, Operation Unified Protector, to which the Deputy referred in his question, NATO-led forces are committed to full implementation of UN Security Council Resolutions 1970 and 1973. They are taking action to protect civilians and civilian populated areas in Libya under threat of attack and enforcing the no-fly zone and an arms embargo authorised by UN Security Council Resolution 1973. NATO is implementing all military aspects of the UN resolution. It can be taken from the Deputy's comments that he would prefer if there was no intervention of any description by the countries to which he referred and that it would be his preference that Colonel Gadaffi be left alone to butcher as many thousands of civilians as he chooses.

Reserve Defence Force

46. **Deputy David Stanton** asked the Minister for Defence the current strength of the Reserve Defence Forces; his plans for the future of the RDF; and if he will make a statement on the matter. [8391/11]

Deputy Alan Shatter: I am advised by the military authorities that the strength of the Reserve Defence Force, as at 31 March, was as follows: First Line Reserve, 305; Army Reserve, 5,504; and Naval Service Reserve, 221. A value for money review of the Reserve Defence Force commenced in February 2010 and is ongoing. The review is being overseen by a civil-military steering committee with an independent chair and supported by a working group. It is examining Reserve costs, efficiency and effectiveness, including the progress made with the Reserve Defence Force review implementation plan which provided the framework for the development of the Reserve until the end of 2009. The steering committee and the working group have engaged in an extensive programme of consultation and sought additional detailed information on Reserve activity. The final elements of these information requirements are being compiled and will then be analysed. This information is necessary in order to ensure a comprehensive and balanced picture of Reserve activity. It is expected the review will bring forward recommendations to chart a course for the future development of the Reserve. I look forward to receiving the report in due course.

Deputy David Stanton: Will the Minister provide a breakdown of the non-effective strength of the Reserve? When does he expect the review to be finalised given that it has been ongoing for 14 months?

Deputy Alan Shatter: I hope the review will be finished shortly and that it will give us an opportunity to consider any changes that need to be effected. I see the Reserve as an important part of the Defence Forces and look forward to its continued involvement in the Defence Forces. Some of the plans previously put in place did not work in practice and some aspects

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had to be postponed. The review will provide a new perspective on the activities conducive to the Reserve. I look forward to its continued engagement in the Defence Forces.

Written Answers follow Adjournment Debate.

Adjournment Debate Matters

An Leas-Cheann Comhairle: I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Michael Healy-Rae — the need to reintroduce the excise duty rebate in respect of diesel to coach operators; (2) Deputy James Bannon — the need for the Minister for Social Protection to restore funding to the Lough Ree development co-operative under the Pobal CSP scheme; (3) Deputies Brendan Smith, Heather Humphreys, Joe O'Reilly, Frank Feighan and Seán Conlan — the need to protect employment in the Quinn Group; (4) Deputy Paschal Donohoe — to ask the Minister to provide a statement on the recent winding up order on the Lighthouse Cinema, Smithfield, Dublin 7 and outline the steps the Government can take to preserve this cultural amenity; (5) Deputy Gerry Adams — the need for the Minister for Health and Children to establish a full public inquiry into the practice of symphysiotomies in hospitals under the care of the State; (6) Deputy Patrick O'Donovan — to review a decision of the HSE to close, on a temporary basis, a surgical ward and operating theatre at Croom Hospital, County Limerick; (7) Deputy Tom Fleming — to immediately reverse the decision of the previous Government to abolish the three posts of the only DEIS rural teacher co-ordinators in County Kerry who cover a total of 15 schools in the county; (8) Deputy Brendan Ryan — the need to establish a task force to fully examine the pyrite problem affecting many homes throughout the country; and (9) Deputy Brian Stanley — the number of premises the State is renting or leasing as part of the decentralisation programme.

The matters raised by Deputies Brian Stanley; Brendan Smith, Heather Humphreys, Joe O'Reilly, Frank Feighan and Seán Conlan, and Brendan Ryan have been selected for discussion.

Leaders' Questions

Deputy Micheál Martin: In the past 20 years a tradition has developed whereby the first bilateral visit by a new Taoiseach is to the British Prime Minister. The Taoiseach's two immediate predecessors had in-depth meetings with the Prime Minister, Mr. David Cameron's immediate predecessors within a week of taking office. In that context, I welcome yesterday's meeting and that it was held in a positive spirit. Everyone welcomes the shared resolve to face down the few remaining groups which want to undermine the peace and reconciliation process which is a great legacy of recent years. We should also note the Prime Minister's support for the fiscal and financial strategies outlined last year and the Taoiseach's detailed promotion of them earlier in the day. The meeting was announced by the Taoiseach's staff as the first major salvo in a significant diplomatic effort to win for Ireland better terms with regard to the international support package as part of the EU-IMF deal. Given that this has been a primary purpose of the various meetings in which the Taoiseach and others are engaging, particularly yesterday's meeting, will he indicate whether he enlisted the support of the British Government for a change in the terms of the broader EU-IMF loan facility and the Prime Minister's support for the Government's efforts to persuade the German and French Governments to change the terms and, in particular, to reduce the interest rate charged? On the specific bilateral loan, will he clarify why he did not ask for a reduction in the interest rate?

The Taoiseach: I thank the Deputy for his positive comments. The meeting took place as a result of the issuing of an invitation to me. At my first meeting following my appointment I met the British Prime Minister in Brussels. We have had a couple of telephone conversations, about which I have informed the Deputy. The Prime Minister said we should make an arrangement to meet before the Queen came to Ireland. Yesterday was a suitable date and, on that basis, the meeting took place. It was not announced as a major diplomatic onslaught but was part of a series of regular contacts between the Prime Minister and the Taoiseach, which is important for both countries in the keeping of good relations. We discussed the question of movement in the European Union. The Prime Minister is very supportive of Ireland's position and the decisions made by the Government which are attracting an element of international commendation, which is important. He is supportive of what we are doing and has said so. As I said in response to earlier questions, he is available at short notice to discuss any matter on which we wish to contact him. I said the same in response to him, particularly in the discussions we had on Northern Ireland.

In regard to the work of the Government in respect of the interest rate on the IMF-EU package from which Ireland is now drawing, and in regard to the EFSF, that is being pursued from a European perspective. The bilateral loan from Great Britain, which is not involved here directly, feeds into that. We are pursuing the question through the Ministers for Finance at European level and, obviously, we are hoping for a result there, probably during the summer, now that the bank stress tests have been cleared. The current situation in regard to the IMF is that officials in Portugal are dealing with the details of that country's draw-down. I did not go to London to raise directly the question of the interest rate on the British loan being reduced because it is not part of the main package, which we are pursuing through the European forum in the first instance.

Deputy Micheál Martin: I thank the Taoiseach for his reply. I am surprised that the broader issue of enlisting support for change in the terms of the EU-IMF package was not discussed and that there was no specific request. The Taoiseach says we will leave it to the Minister for Finance, but it is advisable that it is raised at all levels including at government-to-government level. I am sure the Taoiseach will agree that his promises and statements before the election are nobody else's responsibility. His response reflects a change in tone, attitude and approach to the fundamental issues. He is correct in now saying that we must be respectful of the positions of other countries when we are negotiating changes to the terms set in Deauville months before any support package for Ireland was discussed. That is a direct reversal of the position he adopted some months ago when he said in the House that if he had been there he would have expected somebody to say that this is about politics and that if he were not given a better deal than what the civil servants had put together, he would go home. Can the Taoiseach explain exactly why he has changed his mind?

The Taoiseach: The Deputy is misreading it. Our position is not a reversal or a change of attitude or tone. It is quite in keeping with what I have always said — that we respect the right of our European colleagues to have their point of view, that this is not a unilateral decision, and that it has to be worked out in co-operation with our European partners. I have always said that and did so at the eurozone meeting in Helsinki and at the Heads of Government meeting in Brussels. The decision was taken that, as the stress tests on our banks were not yet published, the Ministers for Finance should pursue the issue around the table. That is the reality and it is what I have always said. In our pursuit of a change in respect of the interest rates and the terms of the deal, I have said on many occasions that it can and will only be achieved through co-operation with our European colleagues. There is no change from that position.

[The Taoiseach.]

There is now a space for that to happen, and I hope and am confident it will happen. The broader situation was discussed by the Prime Minister, Mr. Cameron, and me yesterday, and he is very supportive of the position Ireland has adopted. He also fully understands our position in respect of the corporate tax rate. It is not the first time he has given support to Ireland's position on that matter. We also discussed broader issues of the European Union in respect of innovation, the Single Market, regulation, and in respect of Europe standing up for itself as a union. I pointed out to him that we had a divergence of opinion from the British Government in respect of our defence of the Common Agricultural Policy because the agri-sector is so important for production and for our economy. He fully understands that.

Deputy Gerry Adams: I note from media reports this morning that the former director of Allied Irish Banks, Colm Doherty, received a package of €3 million when he stepped down last November. I accept that this happened under a Fianna Fáil Government, or at least the contract was put together under that Administration. I call on the Government to intervene now to stop this obscene payment. People are in disbelief that this news has broken on the Taoiseach's watch. Despite all the promises of a changed regime——

Deputy Alan Shatter: Yes, the news has broken now but it happened last November.

Deputy Gerry Adams: We need to know there will be real changes. People who are victims of the universal social charge, people who cannot pay their rent, people who cannot put food on the table want to know whether the Government will intervene to stop this payment.

The Taoiseach: I was absolutely appalled to hear of this latest banker payment scandal. I was appalled that this should have been allowed to happen at a time when the people of this country own AIB. The news has broken on this watch and I am sure the Deputy will contribute to the debate tomorrow on the Nyberg report. He will notice a change in that the Government is publishing these reports as soon as is appropriate and having them debated in the House so that Members can express their view.

When the Deputy opens the Nyberg report he should look at page 6, section 1.5.3. The report refers to the Central Bank, the regulator and the Department of Finance but it also makes the following point:

People in a position to make decisions are and must be ultimately responsible for them regardless of what advice or suggestions they have received. The higher and more influential their position, the greater their responsibility. For instance, holders of public office are and must be responsible for directly and indirectly influencing others' conduct within their, often large, remit. They, no less than everybody else including borrowers, are, of course, also responsible for knowing what they are saying and doing.

Everybody will have an opportunity to discuss the report, but it appears to me that the culture that existed here was well known. The Government discussed the report this morning. What we want to see is accountability in the people's eyes for what has happened here. I do not know who was party to the discussions about Mr. Doherty's contract, remuneration and bonuses. That is gone; the payment has been made. The previous Minister for Finance did not want the director of the bank to be appointed, yet the Government of the day was not in a position to prevent that happening. I have asked the Minister for Finance to look at what evidence is available regarding how this was put together. Were the public watchdogs made aware of it? Was a copy of the contract made available to the then Minister and the Department of Finance? It is simply appalling that a situation such as this should arise when that bank and those working in it at senior level knew exactly the culture that existed and what was going on.

Deputy Gerry Adams: It is not good enough. This is an act of subversion.

(Interruptions).

Deputy Gerry Adams: Well may Deputies opposite laugh. It is the people's money; it is happening on the Government's watch.

Deputy Leo Varadkar: It happened before the Government came to power.

Deputy Gerry Adams: The Government can bring in emergency legislation. It can put a stop to do this, but it does not have the will to do so. The golden circle is as alive today as it ever was under the regime led by Fianna Fáil. Who were the public interest directors? Dick Spring, Declan Collier, Michael Somers — circle upon circle upon circle. The Taoiseach has a vast majority in this House and he will certainly have support from the Sinn Féin benches to take action. He must bring in legislation to put a stop to this payment and he must do it now. Cuir stop leis seo anois.

The Taoiseach: Dá bhféadfainn rud éigin a dhéanamh faoi seo, dhéanfainn láithreach é. I would also like to get back the moneys that disappeared in other situations.

The Minister for Finance, Deputy Noonan, has responded to the publication of the Nyberg report. First, it is being brought into the House tomorrow for debate by Members. In addition, the Government has decided to take a number of actions to ensure nothing like this can happen on our watch. We are seeking to enhance the capacity of bank boards and management. The report is highly critical of the role played by board members and senior management of banks in failing properly to oversee the institutions. The chairman of each institution will in future be asked to provide the Minister for Finance and the NTMA with a board renewal plan which must have regard to company law and regulatory requirements and which will set out, for each institution, the steps to be taken to ensure the skills and competency level of board members are fully adequate to the demands of the current situation and the planned future of the Irish banking system. In that regard, a programme of rotation of board members, commencing with those board members appointed before September 2008, will be expected to be part of that plan. This will apply to both executive and non-executive board members and provides a process to ensure a smooth succession of incumbent board members who were in place before September 2008. The Minister expects the succession to be substantially completed by early 2012 and will use his powers as a shareholder to effect such changes as are necessary.

Second, the board of each institution will be asked to provide the Minister for Finance and the NTMA with a management renewal plan. That renewal plan will set out for the relevant institution the steps to be taken to ensure the skills and competency levels of senior managers are fully adequate to the demands of the current position and the planned future. Third, the Minister makes the point that it is essential for the boards of banks to continue to have some independent, non-executive directors. Having regard to the size of its shareholding in each institution and the necessity of ensuring the State's interest is properly represented on each board, the Minister will actively nominate members of the board of each bank from qualified individuals with appropriate skills and experience.

The Deputy should note that the Government wants Members of the Oireachtas to be in a position to investigate the facts of what happened in those cases arising from the Nyberg and other reports. However, the clarity of the advice given to the Government by the Attorney General means I have no intention of going down a road in which the Oireachtas literally would be laughed out of court by attempting to pursue something that it cannot do because of the inadequacy of its powers. This has been pointed out clearly by the Attorney General. Consequently the Government decided this morning that a referendum should be held to deal with the consequences of the Abbeylara case.

Deputy Ciarán Lynch: Hear, hear.

The Taoiseach: After ten years of nothing being done about it, the Government will prioritise this complex, sensitive and far-reaching legislation. The legislation must be prepared and a question put to the people in order that the Oireachtas and the members of whatever committee thereof that will deal with this matter will have the right of compellability to call in personnel, not as a Star Chamber but in the investigation of facts with regard to public accountability in cases where things went astray.

Deputy Gerry Adams: A Cheann Comhairle——

An Ceann Comhairle: Sorry Deputy, I call Deputy Higgins.

Deputy Joe Higgins: Working from the executive summary of the commission of investigation into the banking sector, that is, the Nyberg report, does the Taoiseach agree it is rather unfortunate that sheer naked corporate greed was not identified as the major driving force that led to the insanity in the property market and the subsequent crash? Does the Taoiseach agree that the herd instinct and group-think to which the report referred was to pursue recklessly massive commercial and corporate profits for a tiny elite at the expense of society? Does the Taoiseach think it strange that in the entire executive summary, not a single sentence is devoted to the role in this debacle of major political parties or the Government? The Fianna Fáil Party was colonised by the developers and bankers who, as Members are aware, entertained them like Arabian sheiks while they drove up fourfold the price of a home for an ordinary working person. Does the Taoiseach acknowledge the complicity of his own party, Fine Gael, which, during the ten years in which this was going on, did not once raise its voice in opposition to the profiteering?

Deputy Bernard J. Durkan: That is not true.

Deputy Olivia Mitchell: That is not true.

Deputy Joe Higgins: It actively opposed the control of building land and of speculation on building land when we proposed such a measure in this House.

Deputy Bernard J. Durkan: That is not true.

Deputy Joe Higgins: Does the Taoiseach acknowledge that implicit in the report is a devastating indictment of how the financial markets systems work, which are driven exclusively by the herds of speculators in search of private greed? Does he acknowledge that when the report refers to the many investors, consultants, analysts, rating agencies and the media, which incidentally kept very quiet about this because they were making millions from the developers and which lionised those characters who were making millions, that it is an indictment of the same financial markets to which the Taoiseach bends the knee today in hammering the living standards of our people?

Lastly, can citizens seriously have confidence that the Government will make any change? In response to a banker walking away into the sunset with €3 million from a bank that has been bailed out to the tune of €20 billion——

An Ceann Comhairle: Thank you Deputy

Deputy Joe Higgins: ——the Taoiseach states he is appalled, as though he were a letter writer to *The Irish Times*, who signs himself “Appalled from Castlebar”. That is not good enough.

Deputy Bernard J. Durkan: I thought the Deputy also was appalled.

An Ceann Comhairle: Thank you Deputy. I call the Taoiseach.

Deputy Joe Higgins: What will the Taoiseach do in this regard? His Minister for Finance has stated that he would not do anything because there was a contract.

Deputy Ciarán Lynch: Talk to Joe.

An Ceann Comhairle: Thank you Deputy.

Deputy Joe Higgins: Will the Taoiseach end the humiliation of Irish taxpayers and people at the hands of the banking sector?

An Ceann Comhairle: Thank you Deputy.

Deputy Joe Higgins: Moreover, as the Taoiseach walked out of Downing Street yesterday without having the bottle to ask the British Prime Minister for a reduction in interest rates——

An Ceann Comhairle: Deputy, thank you but you are over your time.

Deputy Joe Higgins: ——for another bank loan that was made to save British banks, what hope can the people have that he represents anything different?

An Ceann Comhairle: Thank you Deputy. The Taoiseach has three minutes to reply.

Deputy Jerry Buttimer: Shocking indignation.

Deputy Bernard J. Durkan: The Deputy was in the European Parliament for two years. I thought he would have it all solved by now.

The Taoiseach: Deputy Higgins's letter should be signed "Confused from Dingle".

Deputy Joe Higgins: Explain that.

Deputy Finian McGrath: The Taoiseach should answer the question. No fudge.

The Taoiseach: While it is true that it is "Appalled from Castlebar", there appears to be some confusion from Dingle in this regard.

Deputy Joe Higgins: The Taoiseach should explain.

The Taoiseach: The people can have faith and trust in what the Government intends to do because for the past decade, nothing has been done in respect of the capacity of this House or the Oireachtas to hold accountable persons who, by reckless greed, lack of oversight or whatever else, went off the rails completely and for whom the taxpayer must pay in consequence. The only way in which this can be achieved is by holding a referendum to give the Oireachtas and its elected representatives the authority and power to get to the root of such questions. The reason there is no direct reference to political parties in this regard is that it cannot be dealt with without having the approval for the consequences of a referendum arising from the Abbeylara case. This is the reason the Government intends to prioritise this matter, put it to the people and give elected Members of this House the opportunity on television, not in the manner of a Star Chamber, to have accountability in respect of the facts. This is important.

I agree with the Deputy that the element of greed in this regard has been evident for far too long. The Deputy made the point that people did not speak out about it. I remind him that in

[The Taoiseach.]

respect of the 2003 budget, I stated “we have a crisis in the management of our public finances”. For every year of his term as Opposition spokesperson on finance, Deputy Bruton made reference to this. In his statement on the 2007 budget, he stated “you cannot build indefinite spending growth on the back of a building boom, no more than you can build long-term economic prosperity on the back of a building boom”. It is confusing of the Deputy to state that these matters were never raised, as they were. At long last, however, there is an opportunity to do something about it. The Government will so do when it gets the *imprimatur* of the people by asking them a question as to whether they will give the Oireachtas the authority and the opportunity to hold to account those who should be held to account.

Deputies: Hear, hear.

An Ceann Comhairle: The Deputy has one minute in which to reply.

Deputy Joe Higgins: I assure the Taoiseach I am not at all confused because I sat in this House for ten years while this insanity was going on and people like myself were referred to as contrarians in this report. The Taoiseach, however, was not a contrarian and nor was his party. Not once did it raise a voice of opposition to the level of profiteering in which developers and bankers were engaged on the backs of young working people being saddled with 40-year mortgages. The Taoiseach should examine the Official Report of the Dáil and if he finds it, he should show it to me in this Chamber in the future.

This morning, the Minister for Finance implicitly stated that nothing would be done about this further bank robbery of €3 million because there was a contract. In 2009, a draconian Act was passed, namely, the Financial Emergency Measures in the Public Interest Act, which the Government continues to implement and which has slashed the wages of——

An Ceann Comhairle: Does the Deputy have a question, please?

Deputy Joe Higgins: ——for example, porters, cleaners and teachers in private schools who are not paid by the State but whose employers receive part payment from the State. No institution has received more funds from the taxpayers, to the obscene degree that has happened, than have the banks. Is the Taoiseach telling me that he will allow the porter, the cleaner, the teacher and other equivalent employees to be hammered by that Act and that he will stand idly by as these major bankers wipe the eye of the taxpayer while incidentally insulting the 2,000 low-paid bank workers who will be consigned to the dust heap, as far as they are concerned, in the next two years?

Deputy Finian McGrath: Hear, hear.

An Ceann Comhairle: The Taoiseach has one minute to reply.

The Taoiseach: Forgive me if I said Deputy Higgins was confused. Maybe it is false concern I detect coming from that side over there.

Deputy Jerry Buttimer: Hear, hear.

The Taoiseach: I will make this point to Deputy Higgins — this Government will reverse the minimum wage decision in respect of lower paid workers. This was agreed by the troika when it met with our Ministers for Finance. This Government has already made it perfectly clear that consideration will be given to lower paid public workers where savings can be made arising from the implementation of the Croke Park agreement. We want to see everyone have the opportunity to contribute and to have a meaningful quality of life. It is not good enough for

the Deputy to suggest otherwise. If he wants to equate teachers with cleaners and whatever else, that is his prerogative. We have already made the case that it is very important that the Croke Park agreement be implemented in full. The consequences of the memorandum of understanding have been pointed out by quite a number of Ministers.

The position is that serious changes have now been outlined by the Minister for Finance in respect of the governance, regulation and oversight of banks. For the politicians and the Oireachtas, I want to see the people help the Oireachtas, give it the opportunity when the legislation goes through to answer the questions and allow Members of this House to be able to hold to account those who should be held to account. I am sure Deputy Higgins will contribute to that legislation when he gets the opportunity.

Requests to move Adjournment of Dáil under Standing Order 32

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

Deputy Finian McGrath: I seek to move the Adjournment of the Dáil under Standing Order 32 to discuss an issue of national importance and concern, namely, the urgent need to support actively Justice for the Forgotten, the support group for the families of the Dublin and Monaghan bombings, in its efforts to find truth and justice. I call on the Taoiseach to demand that the British Government open its files and make available documentation that was withheld from Mr. Justice Henry Barron during the course of his inquiries into the Dublin and Monaghan bombings and other cross-Border bombings perpetrated in this jurisdiction in the 1970s. I call on all Members of the Oireachtas to attend the dignified wreath-laying ceremony on 17 May at the memorial on Talbot Street, where no flags or banners will be displayed.

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

Order of Business

The Taoiseach: It is proposed to take No. 4, motion re proposed approval by Dáil Éireann for a directive of the European Parliament and of the Council on the use of passenger name record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime; and No. 7, Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011 — Second Stage (Resumed). It is proposed, notwithstanding anything in Standing Orders, that the proceedings in respect of No. 4 will, if not previously concluded, be brought to a conclusion after 45 minutes, and the following arrangements will apply: the speeches will be confined to the Minister or Minister of State and the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who will be called upon in that order and who may share their time, and will not exceed ten minutes in each case. A Minister or Minister of State shall be called upon to make a speech in reply that shall not exceed five minutes.

Private Members' business shall be No. 21, motion re natural resources.

An Ceann Comhairle: There is one proposal to be put to the House. Is the proposal for dealing with No. 4 agreed to? Agreed.

Deputy Micheál Martin: Regarding the ordering of questions, I submitted a question on 30 March asking the Taoiseach about whether he intended to meet the CEOs of multinational companies personally, considering Ireland is a location in which to do business. I received a letter the following day telling me my question had been rejected and that it was being resubmitted to the Minister for Enterprise, Trade and Innovation. I still have not received an answer.

[Deputy Micheál Martin.]

I tabled the question in light of the programme for Government and promised business from inward investment.

It has emerged in the news that the social networking giant Twitter met the British Prime Minister, Mr. David Cameron, who was selling London as the location for its European headquarters. We read in this morning's newspapers that Twitter had started recruiting for a London head office and that Ireland may have been overlooked, which I am sure the Taoiseach would agree is disappointing, given that the IDA and the outgoing Government were endeavouring to build on the success of bringing Facebook, LinkedIn and other social networking companies to Ireland.

Will the Taoiseach indicate what plans he has to meet CEOs of multinationals in the coming weeks to attract their companies to this country? What of the broader role of the Department of the Taoiseach in implementing the programme for Government's commitments on inward investment? Did he meet the CEO of Twitter?

The Taoiseach: I am not sure what legislation is here, but I might make this point. I share everybody's view that it is important that we make every effort as a country to attract and provide opportunities for employment. The Deputy will be aware that the Government has decided, through the Tánaiste and Minister for Foreign Affairs and Trade, to recall all Irish ambassadors and our IDA and Enterprise Ireland personnel to Dublin, probably in June, to have a thorough discussion about the mission they are on, the personnel they meet, the programmes and plans they have to meet companies, and so on. We will continue that. I have made this point to a number of CEOs, from those I have met individually to those I have had contacts from. In my capacity as Taoiseach when speaking in Washington, I had an opportunity to meet quite a number of those, as did the Tánaiste and Minister for Foreign Affairs and Trade in New York at the same time. I expect to travel again to New York in the near future to continue that work. I intend to meet the CEOs of major companies here and to use their experience in showing why other companies should continue to site and invest in Ireland. This is crucial for us and is set against the background of our intention to retain our 12.5% corporation tax rate, which every Member of the House would support.

Deputy Gerry Adams: I ask about a matter that has been removed from this week's schedule, that is, the promised debate on the revised memorandum of understanding between the Government and the EU and the IMF. The Taoiseach is always lauding the Government's efforts in acquainting and informing the Dáil of developments, but we received limited scéal on this from a news conference. Will the Taoiseach commit to publishing the memorandum of understanding immediately, scheduling a full Dáil debate following its publication and holding a Dáil vote on it?

The Taoiseach: It was originally intended to hold a debate on the IMF-EU updated memorandum of understanding. There will be a series of these. As the troika visits Ireland on a regular basis, these will be updated every quarter.

The decision was made to hold the debate tomorrow in respect of the Nyberg report on the banking institutions because this is obviously a priority issue. As the Deputy is aware from the discussions and reports, the troika accepted the changes the Government tabled to the memorandum of understanding and we will have that debate. It will probably be after Easter, but he will have the opportunity to have his say on it.

Deputy Gerry Adams: What about a vote on the issue? There is plenty of time. As our Whip stated, the Whips could arrange time to have the debate this week.

The Taoiseach: Deputy Adams will have the opportunity to have his say on that, probably by way of statements. The troika has accepted that Ireland complied with the requirements and conditions set down and accepted the changes that we will introduce, in particular our proposal to have a jobs initiative, which will be announced by the Minister for Finance in the Dáil and against which I am sure the Deputy will not vote.

Deputy Gerry Adams: We know all about the troika and how it came and told the Government what the latter should do. We want to have a say and a vote on these issues.

An Ceann Comhairle: The question of a vote does not arise at this point.

Deputy Micheál Martin: We were promised a debate.

An Ceann Comhairle: It can be discussed between the Whips on a date and time to be agreed.

Deputy Gerry Adams: The debate was promised. There have been more broken promises from this Government.

Deputy Micheál Martin: It was scheduled.

Deputy Gerry Adams: It was actually on the schedule but has been removed. It is not right that this Government tears up commitments.

An Ceann Comhairle: On the day this is arranged we can debate the issue.

The Taoiseach: The Deputy will have plenty of opportunities to have a say on many reports. This Government has changed the practice of the Dáil not meeting on the Tuesday following a bank holiday and has seen to it that the Dáil sits for longer into July and returns earlier in September. It will also sit on Fridays. The Deputy will be worn out talking about reports.

Deputy Gerry Adams: What will we do only talk?

Deputy Pat Rabbitte: It is the pity the Deputy was not here before.

The Taoiseach: The Deputy will be flattened.

Deputy Micheál Martin: There will be no time for hill walking.

Deputy Enda Kenny: I am quite sure if the EU and IMF memorandum of understanding was debated today, the Deputy would be on his feet asking why we cannot debate the Nyberg report.

Deputy Willie O'Dea: We will have that tomorrow.

The Taoiseach: The Deputy was promised the discussion on the memorandum of understanding and he will have it.

Deputy Timmy Dooley: When?

Deputy Willie O'Dea: When is it expected to see the legislation outlawing upward only rent reviews for existing leases? When is it expected to produce the legislation to reform employment regulation orders and registered employment agreements?

An Ceann Comhairle: Deputy Ó Snodaigh wishes to speak on the same issue.

Deputy Emmet Stagg: It is a pity the Deputy did not look at that during his time in office.

Deputy Alan Shatter: The Deputy had 14 years to address that.

Deputy Aengus Ó Snodaigh: There is an urgent need for legislation to deal with upward only rent reviews, of which there is currently none. The only piece of legislation I can find in the legislative programme is the landlord and tenant Bill. There is no indication of whether the issue will be dealt with.

An Ceann Comhairle: We will find out in a moment.

Deputy Aengus Ó Snodaigh: If there is a separate Bill, will the Taoiseach indicate when it will be published so that we can avoid the closure of businesses such as the Light House cinema because of the issue?

The Taoiseach: The matter is under discussion with the Attorney General. Those discussions can be fed into the Property Services (Regulation) Bill, which is awaiting hearing on Committee Stage.

Deputy Charlie McConalogue: With regard to the legislation establishing the Department of children and the work involved in getting the Department up and running, why is a different system being used for the selection of the director general of the Department?

An Ceann Comhairle: That is not suitable for the Order of Business. The Deputy should put down a parliamentary question on the matter.

Deputy Charlie McConalogue: It relates to the establishment of the Department of children and legislation surrounding that.

Deputy Micheál Martin: It is promised business.

Deputy Charlie McConalogue: Why is a different approach being taken to the employment of a director general for that Department as opposed to the Department of Finance or the Department of the Taoiseach, for example? It demonstrates that the Department of children is being treated in a second class fashion in comparison to other Departments.

An Ceann Comhairle: I thank the Deputy.

Deputy Charlie McConalogue: There is no rush at all with that Department while the other Departments——

Deputy Emmet Stagg: That sounds like Fianna Fáil.

Deputy Charlie McConalogue: Why is there a difference? When will we get the legislation setting up the Department? As of now, well into the life of this Government, we still cannot pose questions to——

An Ceann Comhairle: The Deputy should resume his seat so he can get an answer.

Deputy Alan Shatter: The Deputy's party did not establish a Department for children for ten years.

Deputy Pat Rabbitte: A person must crawl before being able to walk.

Deputy Alan Shatter: The Deputy is complaining after five weeks.

The Taoiseach: The Government has appointed a senior Minister to deal with children and youth affairs. The legislation is being prioritised and some of the powers are to be transferred from the Department of Health and Children to the Department for children and youth affairs. It takes time to set this up but the Ministers and Government are insisting that it happen as quickly as possible. That is what will happen. Taking this into account, the appointments of Secretaries General are wide open to competition under the traditional arrangements, as I originally stated to Deputy Martin.

Deputy Micheál Martin: They are not wide open.

The Taoiseach: The Departments of the Taoiseach, Finance and Foreign Affairs, as well as the Revenue Commissioners, fall outside the top level appointments committee, TLAC, formation but that does not mean the Government will accept whomever might express an interest in being appointed to any of those Departments.

Deputy Richard Boyd Barrett: Given the shocking revelation that yet another banker will walk away with €3 million in a pot of gold after helping to bankrupt——

An Ceann Comhairle: Deputy——

Deputy Richard Boyd Barrett: It is a question on legislation. This €3 million is for helping to bankrupt the economy and forcing crushing austerity on the working people of this country. Is it not time to bring forward emergency taxation legislation to claw back some of the wealth that these people have walked away with? These people have robbed the country and left it bankrupt.

An Ceann Comhairle: Deputy——

Deputy Richard Boyd Barrett: Can we not bring forward legislation to claw back some of this money through wealth taxes?

An Ceann Comhairle: Is there promised legislation?

The Taoiseach: There is preparation of legislation to deal with a referendum in respect of accountability to be given to Oireachtas Members to deal with cases where that should apply.

Deputy Richard Boyd Barrett: What about the money?

Deputy Ciarán Lynch: I seek guidance from the Ceann Comhairle on parliamentary questions coming before the House. I note that parliamentary questions replied to by the Ministers responsible for health and tourism now give a timeframe for agencies such as Fáilte Ireland and the HSE. This is a welcome development because in previous Dáils when I put down questions in these areas Ministers told me that these were not functions under their responsibility. Ministers are now seeking replies from the agencies and putting a timeframe on the process.

Deputy Timmy Dooley: The Deputy's party is part of the Government now, believe it or not.

Deputy Ciarán Lynch: Will the procedure be applied to all quangos and agencies with a relationship with Ministers and will all Ministers follow the procedure in future?

Deputy Willie O'Dea: The quangos will be gone soon.

An Ceann Comhairle: I have encouraged all Ministers to reply in that fashion and I sincerely hope they will act accordingly.

Deputy Willie O'Dea: They will be gone in 60 days.

Deputy Aodhán Ó Ríordáin: I note the programme for Government states that people of non-faith or minority religious backgrounds and publicly identified lesbian, gay, bisexual and transsexual people should not be deterred from training or taking up employment as teachers in the State. This is a clear reference to section 37 of the Equality Act. When will an amendment to that legislation come before the House so that the discriminatory practices of some schools can be outlawed?

The Taoiseach: I do not know the detail of the issue raised by the Deputy but it is clearly of some concern to him. If he provides the detail, I will give him a reply either in the House or directly as soon as possible.

Deputy Timmy Dooley: Does anything go on in the parliamentary party meetings?

Deputy Sean Fleming: The Taoiseach promised a jobs budget to stimulate economic development for early next month. The Taoiseach has since said this will not be a budget in the normal sense of the word and the process has been relegated to a revenue-neutral jobs initiative. As we will now be presented with a revenue-neutral jobs initiative, will the Minister for Enterprise, Trade and Innovation, Deputy Richard Bruton, present the statement to the House? We have been told this will not be a normal budget. Will it contain tax increases that will require the Minister for Finance to present the statement?

The Taoiseach: The Deputy's leader said he had no interest in Punch and Judy politics and neither do I.

Deputy Timmy Dooley: Will it be Punch or Judy?

The Taoiseach: It is important for us to introduce a jobs initiative. I changed the title because some people were getting carried away in a notion that there would be tax increases of one sort or another.

Deputy Micheál Martin: The Taoiseach was told to change it by his Tánaiste.

The Taoiseach: That would apply in many cases in traditional budgets. I hope that when the Minister for Finance comes before the House on that date in May, he will present the best package we can put forward given the constraints we are under because of the IMF and EU deal.

Deputy Timmy Dooley: So it is Punch.

The Taoiseach: I hope it will give some confidence to our indigenous economy, employers will find it easier to take on employees and people will have the confidence to begin to spend money. We must look to release the frustration of so many people in this country who want to get back to work so we can make a decent stab at finding work for the 440,000 people currently on the live register.

Deputy Michael McGrath: Is there a specific date for the Ministers and secretaries (amendment) Bill? At this stage the House deserves a specific date. The Taoiseach and his Ministers received their seals of office six weeks ago——

An Ceann Comhairle: There is no need to expand.

Deputy Pat Rabbitte: Six whole weeks.

Deputy Michael McGrath: I am just making the point.

An Ceann Comhairle: There is no real need to.

Deputy Michael McGrath: I believe it is in order.

Deputy Bernard J. Durkan: Six whole weeks.

Deputy Dara Calleary: Everybody else was allowed to speak.

Deputy Michael McGrath: It is on the Order of Business and relevant.

An Ceann Comhairle: We will get an answer.

Deputy Paul Kehoe: The Deputy's party had 14 years.

Deputy Michael McGrath: At this stage a senior Minister can negotiate with the IMF and the European Commission, undertake official engagements——

An Ceann Comhairle: The Deputy knows that is not a matter for the Order of Business.

Deputy Michael McGrath: ——on behalf of the Government, yet he cannot come into the House and take a question from a member of the Opposition. For how long is that acceptable? Can we have an answer once and for all, please?

Deputy Pat Rabbitte: Six weeks.

Deputy Bernard J. Durkan: The Deputy has a sense of humour anyway.

Deputy Niall Collins: He is very quiet.

The Taoiseach: I thought Deputy Michael McGrath was going to start quoting from *Tintern Abbey* — “five summers, with the length/Of five long winters”.

Deputy Michael McGrath: The Taoiseach could just answer the question.

The Taoiseach: It has been six weeks——

Deputy Joe Higgins: Six weeks that did not shake the world.

The Taoiseach: Fianna Fáil had 14 long years and we are trying to clean up the mess it left behind.

Deputy Willie O'Dea: There are only 58 days left.

The Taoiseach: I can tell him Deputy Michael McGrath that the Bill is expected shortly. We are doing our level best to move it forward in order that we can deal with this issue.

Deputy Willie O'Dea: What will they do for the next 58 days?

Deputy Mick Wallace: Might the Taoiseach consider introducing legislation to deal with some of the exorbitant wages paid in the State sector? The previous Minister for Finance proposed a cap of €250,000 for new State jobs. The Government seems to be able to reduce

[Deputy Mick Wallace.]

the wages of the less well-off; surely it can deal with the wages of those receiving more than €250,000 in the State sector.

Deputy Emmet Stagg: The Government is increasing wages.

An Ceann Comhairle: Is this a matter of promised legislation?

The Taoiseach: No; there is no legislation promised.

Deputy Alan Shatter: Has Deputy Wallace paid the banks back yet?

Deputy Mary Lou McDonald: I notice the Taoiseach is delighted with himself because the Troika are so satisfied with his revised memorandum of understanding. I wonder if his missive to *The Irish Times* might be signed “Delighted in Castlebar” rather than “appalled”. He was asked a straight question. He promised a debate on the revised memorandum. This party wants a vote on the matter. Given that the Taoiseach seems to be so pleased with what he has achieved, I am puzzled about his reluctance to allow such a vote. Could it be that he wishes to maintain a safe distance between himself and the bailout agreement——

An Ceann Comhairle: We are on the Order of Business.

Deputy Mary Lou McDonald: ——despite the fact that he has now produced a revised arrangement? I ask him to publish the deal, bring it before the House and allow us to vote on it.

Deputy Pat Rabbitte: “Cynical in Cabra”.

An Ceann Comhairle: I ask the Taoiseach to clear up this matter once and for all. This is about the tenth time the question has been asked.

The Taoiseach: This is not “Appalled in Castlebar” or “Confused in Dingle” but “Cynical in Cabra”. Deputies were promised a debate on the memorandum of understanding of the EU-IMF deal and they will have one.

Deputy Mary Lou McDonald: And a vote.

The Taoiseach: If they wish to vote against having a debate at the beginning, they may do so, but I expect that they will contribute to it. I never said the Troika were “so satisfied” with Ireland’s performance. It merely pointed out that we were in compliance with the conditions.

5 o'clock We are following an austerity programme that nobody wants to follow. We want to get out of it and we will do so by being able to go back to the bond markets to borrow money and being in charge of our economic destiny. I ask the Deputy to help Ireland in that regard by presenting credible propositions, not ones that are so far out they would wreck any economy.

Deputy Mary Lou McDonald: The cynicism is in the Taoiseach’s refusal to allow a vote on the memorandum of understanding and well he knows it.

An Ceann Comhairle: I remind the Deputy that there is also Private Members’ time. If she wishes to table a motion at any time, the option is open to her.

Deputy Micheál Martin: I seek clarification on that very point. The debate was included in the schedule and it had been agreed by all concerned that there would be time to discuss the

revised EU-IMF memorandum of understanding and deal, although I accept there is no substantial change to the agreement.

Deputy Arthur Spring: Except to the minimum wage.

Deputy Micheál Martin: However, I am not clear from the Taoiseach's reply when that debate will take place. Will it be this week or the week after next?

The Taoiseach: The week after next.

Deputy Micheál Martin: The reason I ask is in the interests of the House. There was full fanfare on Friday for the announcement, with two Ministers taking part and RTE breaking its usual routine.

An Ceann Comhairle: Sorry——

Deputy Micheál Martin: It is relevant to the House; I will not detain it.

Deputy Emmet Stagg: It is like Punch and Judy.

Deputy Micheál Martin: It makes the House somewhat irrelevant when everybody else can debate it——

(Interruptions).

A Deputy: More irrelevant than when the Deputy was in government?

Deputy Micheál Martin: ——but it cannot be debated in the House for weeks afterwards. It is just not on. I make that point to the Taoiseach.

Deputy Emmet Stagg: Punch and Judy. We are wasting time.

Deputy Alan Shatter: No one takes such a comment seriously.

Deputy Micheál Martin: When does the Taoiseach envisage taking it?

An Ceann Comhairle: The week after next, he said.

Deputy Micheál Martin: While I am on my feet I will mention, with regard to the Ministers and secretaries Bill, that there is a precedent under which the Minister for Children and other Ministers could answer questions. It has happened before in the House.

An Ceann Comhairle: That matter has been dealt with by way of correspondence.

The Taoiseach: The Ministers concerned are anxious to answer questions and get involved in the responsibilities of their new Departments. The legislation will come before the House quickly. The debate on the Nyberg report is taking place tomorrow and I am sure the Deputy will want to contribute to it. I can confirm that the debate on the memorandum of understanding will take place the week after next.

Deputy Niall Collins: When does the Taoiseach intend to establish a commission to review the future of the credit union movement?

An Ceann Comhairle: Does that matter relate to promised legislation?

Deputy Niall Collins: It is included in the programme for Government.

The Taoiseach: Not in terms of legislation.

Deputy Alan Shatter: No legislation has been promised.

An Ceann Comhairle: No legislation has been promised.

Deputy Michael McGrath: It is included in the programme for Government.

An Ceann Comhairle: Deputy Boyd Barrett, you have spoken already. What is it?

Deputy Richard Boyd Barrett: This is from “Genuinely curious in Dún Laoghaire”.

An Ceann Comhairle: It is not a matter of curiosity. We are on the Order of Business.

Deputy Bernard J. Durkan: Genuinely confused.

Deputy Richard Boyd Barrett: It is about the programme for Government.

The Taoiseach: “Desperate in Dún Laoghaire”.

A Deputy: Disingenuous, perhaps.

Deputy Alan Shatter: The armchair protester from Dún Laoghaire.

Deputy Richard Boyd Barrett: The Taoiseach restated at the weekend his intention to go ahead with the sale of €2 billion worth of State assets. When can we expect the assets to be identified and the proposal introduced to the House and discussed?

An Ceann Comhairle: I am sorry; Deputies must inquire about promised legislation or a debate.

Deputy Pat Rabbitte: “Dishevelled in Dalkey”.

Deputy Pádraig Mac Lochlainn: There is a commitment in the programme for Government to change the existing system of criminal sanctions for fishermen to one of administrative sanctions. As the Taoiseach knows, this issue has caused major anger in coastal communities in which fishermen feel they are being criminalised in a nonsensical fashion. When will the Government give priority to this issue and pass the required legislation?

The Taoiseach: This is a small but important Bill. I have asked the Minister concerned, Deputy Simon Coveney, to respond to the Government specifying when he can bring it before us for approval. I have been aware of this issue for a number of years.

Deputy Seán Crowe: My question is about the issue of bankruptcy. Most of those who are becoming bankrupt are not major speculators or developers. Increasingly, suppliers, small shopkeepers and so on are facing bankruptcy. However, when a bankrupt person dies, the debt is passed to the family. There are some whose spouses have been affected in the last 20 years. There was talk in the media that this issue would be dealt with through legislation. Are there any proposals in the programme for Government to deal with the difficulties faced by these families?

The Taoiseach: Legislation dealing with the bankruptcy laws will be published in the first quarter of 2012. The Minister for Justice and Equality informs me that there are some provisions in the civil law (miscellaneous provisions) Bill which will be introduced after Easter to deal with some elements of the bankruptcy system.

Standing Order 103 Select Committee: Appointment of Members

An Ceann Comhairle: I call on the Government Chief Whip to announce the appointment of Members to serve on the select committee formed under Standing Order 103.

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): Further to the order of 9 March 2011, I announce for the information of the Dáil that the following Members have been appointed to serve on the Standing Order 103 Select Committee: Ciara Conway, Joe Costello, Stephen Donnelly, Damien English, Charles Flanagan, Pádraig Mac Lochlainn, Michael McGrath, Olivia Mitchell, Denis Naughten, Kieran O'Donnell, David Stanton, Liam Twomey and Alex White.

Passenger Name Record Data: Motion

Minister for Justice and Equality (Deputy Alan Shatter): I move:

That Dáil Éireann approves the exercise by the State of the option or discretion under Protocol No. 21 on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, to take part in the adoption and application of the following proposed measure:

Proposal for a Directive of the European Parliament and of the Council on the use of Passenger Name Record data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime,

a copy of which was laid before Dáil Éireann on 3rd March, 2011.

The motion before the House proposes that Ireland should exercise the option set out in Article 3 of Protocol 21 to the Treaty of the Functioning of the European Union to participate in the adoption and application of an EU directive of the European Parliament and the Council on the use of certain air travel reservation data, namely, passenger name record data, PNR, in the fight against terrorism and serious crime. I am strongly of the view that Ireland should opt in to this proposal. Any measure which can give the Garda and its EU counterparts an advantage in the fight against terrorism and other serious criminal activities is to be welcomed and deserves our support. We must recognise that the ever-increasing openness of our borders cannot be allowed to work to the benefit of terrorists and criminal groups and must make use of the opportunities that information sharing presents for our police to maximise the security of EU citizens.

This measure is one of a number being taken at EU level arising from commitments set out in the Stockholm programme, agreed in 2009. The Government is determined that Ireland will have a full, active and constructive engagement in bringing forward the European justice agenda. This proposal replaces an earlier PNR proposal which was not finalised before the entry into force of the new Lisbon treaty arrangements. The current proposal is made under the new arrangements which involve the European Parliament as co-legislator. There is general support among the member states for this proposal and Ireland has indicated support in principle for the measure.

The directive proposes that passenger name record data concerning flights in and out of the European Union will be available to national authorities for combating terrorism and serious crime. PNR data are information relating to passengers' reservations which is collected and held by air carriers. The directive will require the airlines to provide a portion of this information for the relevant member state's authorities. PNR data are already provided by airlines on flights between the European Union and the United States, Canada and Australia, including flights

[Deputy Alan Shatter.]

from Ireland. It hardly seems credible that EU member states should provide this kind of information for third countries, yet neglect to avail of the advantages it will afford us in tackling terrorism and serious crime. The UK, Swedish and Spanish authorities have been routinely collecting PNR data for some years and they have proved to be a very valuable tool in a range of investigations targeting drug smugglers, human trafficking rings and terrorists.

The proposal includes a clear purpose limitation. Accordingly, the data collected and processed may only be used for the prevention, detection, investigation and prosecution of terrorist offences and serious crime. The offences involved are those already established in European and national law under the framework decisions on combating terrorism and under the European arrest warrant. To that extent it will complement these instruments. Under this proposal, airlines operating flights into and out of the European Union which depart from or arrive in Ireland will be required to send the specified PNR data from their reservations system to the Irish authority tasked with their analysis. Airlines operating international flights departing from or arriving in other EU member states will be obliged to transfer PNR data to the relevant authorities of those member states. The current draft proposal is limited to flights between the European Union and third countries. However, there is significant support to include flights between EU member states in the scope of the directive. This is a matter which will be considered as the discussions on the directive proceed.

I discussed the proposal with my EU colleagues last week at the Justice and Home Affairs Council in Luxembourg. I made clear Ireland's general support for the measure as an important potential tool for countering the activities of organised criminals and terrorists and improving security in the European Union. I also indicated Ireland's support for the inclusion of intra-EU flights in the scope of the measure, an approach supported by the majority of other member states around the table. The exact form in which internal EU flights may be included will have to be worked out in the course of the negotiations during the coming months. As I indicated, airlines will be obliged to transfer the specified PNR data held in their reservation systems to the authorities of the relevant EU member state. Under the current proposal there are 19 fields of information which may be transferred, including name, address and contact information of passengers, travel itineraries and payment methods. I stress that, for the most part, these data are already collected by the airlines and the proposal does not oblige them to collect any additional data. The extent of any costs falling to airlines in providing the data will vary depending on the size and scope of their operations. However, I believe these costs to be justified by the value to both national and European security which is to be achieved by participating in such a measure.

Each member state will be obliged to establish a national passenger information unit, PIU, to receive and process the data provided by airlines. The European Commission has indicated that EU funding is to be made available for some of the set-up costs for member states. Once it is established, member states will have the right to request the PNR data and, if necessary, the results of the processing of such data, from other member states — an obvious aspect of the form of EU co-operation between member states. Sharing of findings is essential to ensure that EU boundaries are not a barrier to effective action against terrorists or criminal groups. Such requests and sharing of information will however, be subject to strict data protection measures which, as the House will be aware, is always a matter requiring particular attention with regard to information-sharing measures such as this.

I reiterate this measure is an important tool in the fight against terrorism and serious crime. However, I am also conscious that we must always be careful to ensure the rights of citizens are not subjected to unnecessary or disproportionate intrusion. It is important, therefore, to strike the appropriate balance, especially with regard to the protection of personal data.

The PNR data will be used in a number of ways to enhance security and prevent or detect crime. They may be used reactively following the commission of a crime to assist with investigations. However, it may also be used proactively for the purposes of trend analysis and creating assessment criteria to identify potential threats. The data may also be analysed in real time to prevent the commission of terrorist or criminal offences. Accordingly, the period for which the data can be retained under the directive is strictly circumscribed. In contrast to the previous 2007 proposal in this area this proposal sets out much shorter data retention periods. The directive provides that data will be stored for an initial 30 day active period. Thereafter, they will be anonymised and retained in an inactive database for a further five year period during which the data will be accessible only to a limited number of personnel in the national unit and only for a specific purpose.

Under Article 3 of Protocol 21 to the TFEU, Ireland has three months from the date a proposal is presented to the Council to decide whether to opt in to the adoption and application the proposal. The prior approval of both Houses of the Oireachtas under Article 29.4.7° of the Constitution is required to enable the Government to exercise that option. The deadline for the opt-in is 10 May 2011. Given the potential value to law enforcement services of PNR data, particularly with regard to investigations into drug smuggling, human trafficking or international terrorism, the important sensitive issues of the protection of personal data and the implications the proposal will have for the aviation industry, it is essential that Ireland should opt in to the negotiations in order to participate fully in them and be in a position to seek to influence the outcome. I have no doubt the majority of Deputies will share this view. I commend the motion to the House.

Deputy Dara Calleary: My party will support the Minister on the introduction of this measure. The basic purpose of the passenger name record system is to collect flight passenger data and the intention of this proposal is that such data be held for the prevention, detection, investigation and prosecution of terrorism, human trafficking — one of the bigger challenges facing this country — and other serious crimes.

As part of its wider agenda to better protect us against security threats the European Union has proposed this directive in order to establish this system on an EU-wide basis. As well as ensuring close co-operation between law enforcement authorities within the European Union the new PNR will harmonise existing national systems. Were all 27 member states to prepare individual PNR legislation, the result would be uneven levels of protection and personal data across the Union, security gaps, increased costs, legal uncertainty and a greater certainty of a potential major terrorist event. The proposal makes sense and that is why we support having a coherent EU-wide approach.

Under the directive as proposed, all airlines flying to or from participating member states must provide the PNR data for their law enforcement authorities. As the Minister noted, in following the American model the EU PNR will cover 19 types of data concerning flights into and out of the European Union which will allow police to carry out a risk assessment of passengers and share alerts with law enforcements agents in other member states and in the world at large.

I understand the first debate on this issue took place last week at the Justice and Home Affairs Council and that the Minister is one of those who argue the directive does not go far enough in its scope and that the PNR system should be extended to all intra-European flights. We on this side of the House support this approach and will support the Minister in his work in this respect.

In the light of the increased operational added value there is a strong case to be gained from this approach. An extension of a system to cover all flights within the European Union is

[Deputy Dara Calleary.]

essential in order to assure the overall effectiveness. PNR data are already used on a daily basis by airlines and stored in the reservation systems of airline carriers for commercial reasons. It makes no sense, therefore, that such data thus stored should not be used to provide greater protection for citizens of Europe. PNR data, manually obtained, have been used for almost 60 years by customs and law enforcement authorities throughout the world. The United States, Canada and Australia oblige EU aircraft carriers to make PNR data available for all who fly in or out of those countries and we have been used to providing such information for many years. PNR data are collected in some member states already. Spain substituted a system of collecting such data following the Madrid bombing and Britain introduced a PNR system some time ago. For its part, Britain has argued that PNR data ensured the arrest of a suspect in the Mumbai attacks in 2008 after the person was tracked by British authorities while travelling on a flight from Germany to Britain.

Under the EU proposals, PNR data will be kept for 30 days in a dedicated unit following a flight. Then the passenger's name must be deleted and the anonymous data stored for up to five years. Those with civil liberty issues may take reassurance from such a short period of maintaining personal information while ensuring the general information will be available. Information is power and information on security issues and data exchange should ensure not only that citizens are protected but that the protection is such that personal information is not leaked and is protected in such a way that disks cannot be stolen, databases cannot be hacked or such that it does not interfere with the rights of citizens.

Under the directive, the authorities can only use PNR data to fight terrorism, crime and human trafficking. I encourage the Minister to be vigilant in talks at the Justice and Home Affairs Council, to ensure the protection of this data is given the highest priority and that given the different legal systems in countries, there will be a basic high standard of protection, especially when it comes to sharing this information with other countries. If there is any breach of this protection then the basis on which this PNR system is formed and on which we support it would be eroded immediately and the protections it seeks to provide would, therefore, be damaged.

We all remember the events on 11 September 2001, the reaction to the Madrid bombs and many other terrorist attacks. Airlines and airplanes are now a weapon of choice for terrorism organisations, which do not care about the damage they may cause or about people who would be killed as a result of their activity. We must ensure we provide the greatest protection for people by ensuring the data they willingly provide is made available to fight terrorism.

It is important this is moved quickly. The Minister has a tight timeframe, the reason we are here this evening. We should provide extra support and protection, based on this data, to the Garda and anti-terrorism agencies, including whatever training they may need. I call on the Minister to comment on this when he closes. Is there an additional training requirement for the Garda or Department of Justice and Equality officials? The Minister referred to the establishment of a PNR centre in Ireland. Is this planned under the programme for Government or can it be established relatively quickly within the provisions of the Croke Park agreement? Will it involve recruiting new staff who would be specialised and trained in this area? We support this proposal and look forward to working through the detail and co-operating with the Minister to ensure Ireland is involved in this as soon as possible.

Deputy Jonathan O'Brien: During the past decade the EU and countries elsewhere have noted a marked increase in the level of organised and serious crime, including the trafficking of people and drugs. As a response to this threat and the to abolition of internal border controls the European Union has adopted measures for collection and exchange of personal data

between law enforcement and other authorities. The Schengen information system, SIS, and the second-generation Schengen information system, SIS II, the visa information system and the entry exit system are examples of such measures. The latest tool the European Union wishes to use in response to this increased threat will result from this latest directive, the passenger name record data proposal.

Sinn Féin believes this proposal marks the commencement of a broader scheme of PNR data collection, retention and assessment by regulating it at EU level. Member states which do not systematically collect and analyse PNR data would be obliged to do so. The result of this directive would mean passengers would be subjected to “extensive tracking, tracing and screening procedures”. Proponents of the proposal argue the “nothing to hide, nothing to fear” principle but this is a simplified outlook which should not be used as a reason to force through measures that are unnecessarily intrusive into the data and privacy rights of citizens.

In 2007 the scope of the original proposal, which, incidentally, failed to be adopted, was extended to include serious offences which may have attracted custodial sentences of three years. The nature of this proposal, including the systematic collection, storage and assessment of personal information, interferes with the right of citizens to privacy. The proposal also interferes with the protection of personal data guaranteed by Article 8 of the European Convention of Human Rights, ECHR, as well as Articles 7, 8, and 52 of the Charter of Fundamental Rights of the European Union.

For state interference with these rights to have any justification a certain level of procedure must be shown to be proportionate and necessary. This proposal does not demonstrate these requirements. The Commission has made no attempt to demonstrate that the proposed measures are necessary other than stating that most organised crime involves international travel. There are also difficulties regarding the Commission’s interchangeable use of “terrorist offences”, “serious crime” and “serious transnational crime.” On the one hand, the Commission attempts to justify the use of PNR data by discussing terrorism and crime involving an element of travel in general and broad terms. On the other, it has failed to present any concrete evidence to demonstrate the usefulness of the collection of PNR data in the prevention of organised or serious crime.

It is fundamental that any encroachment on privacy rights through the increase of surveillance measures on people who have done nothing but book a flight is shown to be proportionate and necessary. Under current Irish law we do not permit our law enforcement agencies to carry out routine systematic searches. However, the current EU proposal requests that we accept the systematic and routine collection, retention and assessment of data in regard to individual citizens as well as a requirement to share this information with other law enforcement agencies. There is something fundamentally wrong with this. The proposal fails to demonstrate exactly how the processing and scrutiny of PNR data will contribute to the overall aim of the directive to guarantee proportionality.

Through this directive, the European Union is trying to legitimise member state policing and scrutiny of citizens through the facade of democratic and harmonised EU action while failing to demonstrate any necessity or proportionality with regard to such intrusion. We all agree that good intelligence is essential for effective policing. However, police intelligence gathering methods, like all other aspects of policing, must be human rights compliant and be governed by the standards in the European Convention on Human Rights.

Sinn Féin is in favour of participating in EU-level and international co-operation in criminal justice matters where it clearly serves the public interest. However, we do not agree with any measures which will cede our national sovereignty, as this proposal will, or the democratic

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rights of Irish citizens. In particular, we resist any moves towards establishing exclusive EU competence over any area of the Judiciary.

It is our belief that the directive and proposal should be withdrawn. I remind the Government that it has the responsibility, morally and legally, to ensure all EU and international co-operation in criminal justice matters complies fully with human rights standards and that any co-operation or harmonisation works to enhance human rights not trample on them.

There is no doubt this proposal has far-reaching consequences for citizens. However, the Government is attempting to push the proposal through with limited debate. This is an important and serious proposal and the very nature of it warrants further discussion. Since the proposal has far reaching implications not only for data retention, but for the data protection of every citizen who books a flight it will be of considerable concern to a large section of society. An attempt to rush through this motion in the absence of full scrutiny and debate is not how a Government elected to represent the best interests of the people should behave. The allocation of a mere 45 minutes to discuss the proposal is regrettable. I ask the Government to consider allocating more time tomorrow or on Thursday to discuss the proposal further.

Every time a regressive, rights-infringing measure was proposed by the Council of Ministers, the previous Government rushed it through the House. This Government stated a desire to change the old ways of governance but by pressing ahead with this motion today, it is merely picking up where Fianna Fáil left off. This approach is in stark contrast to international measures that are progressive in nature and would add to the rights enjoyed by Irish citizens, such as the anti-discrimination optional protocol or the UN Convention on Trafficking. In both cases, previous Governments were happy to sit back and “analyse the implications” for years to avoid action.

This Parliament must not be treated by the Government and the EU as a pre-approving rubber stamp. The Government must not create legal vacuums by giving ever greater powers to unaccountable intelligence agencies without introducing adequate legal safeguards to protect against any unnecessary invasions of privacy. Has the Government stopped to ask if the fundamentally rights-infringing PNR agreement currently in operation has actually contributed to a reduction in organised and serious crime? Has the Government requested evidence to show whether the current arrangement has been effective? If not, why not?

This is the least the Government should be doing before proposing a further agreement and seeking the approval of the House for it. EU member states should not allow themselves to be bullied into applying any agreement which fails to guarantee the data protection rights of its citizens, and neither should this House.

Deputy Clare Daly: As the Minister said, there are passenger name records in airlines. They are a necessary tool so airlines and airport handling companies can do their jobs. That is not at issue. What is at issue is the information being used for other purposes and being handed over to security forces for reasons other than those intended by the person handing over his or her data.

This started after 11 September 2001, with the US authorities requiring airlines to have this information on flights to and from the USA. We are told the Department of Homeland Security filters sensitive information and does not deal with people's ethnic or religious backgrounds. We do not know that, however, and have no way to guarantee it. The fact the Minister mentioned 19 fields of information shows the range of data being exchanged.

There are fundamental issues at stake. The proposal is being pushed as a measure to tackle the serious issues of terrorism, drug smuggling and human trafficking. These regulations and

procedures have been in place in the United States for some time and there is no evidence they have done anything to reduce any of these blights on society. Obviously they have not had that effect, because they do not address the root causes of terrorism, human trafficking and drugs, which are poverty, injustice and inequality. Rather than dealing with those issues, we have instead a knee-jerk reaction that has massive implications for the civil liberties of ordinary EU citizens. By bringing this measure in for all EU flights, we are seeing an invasion of privacy that is akin to surveillance, where information on people is maintained beyond the 30 day period for up to five years, albeit that access to the information would be restricted beyond the 30 days. We do not know, however, to whom the information will be available or to what purpose. The Minister has not addressed any of these questions.

The implications for airlines must be examined. The Minister stated a national passenger information unit will be established, which sounds akin to Big Brother, where people are monitored and their travel movements recorded for five years. That is sinister. Where do the airlines fit in and what is the compensation for them? Airlines are mostly private companies and many of the reservation and handling functions are outsourced as a result of liberalisation in the industry. How will the information be protected given that reality?

This is premature and there is no need for us to do this. It is an opt-in and we should not be opting in because there is no evidence to suggest this will bring any benefit to people anywhere. It will, however, lead to the further erosion of the privacy rights and civil liberties of all citizens. This is a massively retrograde step and we will not support it.

Deputy Mick Wallace: The major concern is the protection of citizens' rights and this appears to be heavy handed. The fact that the European Parliament has questioned the need for passenger name record data is interesting. There was obviously pressure from the United States to change that position and the European Parliament obviously has caved in. Statewatch, the European monitoring group, has observed that the European Commission has so far failed to produce any concrete evidence to demonstrate the usefulness of the collection of PNR data for the prevention of serious crime or terrorist offences. Likewise, the European Union Agency for Fundamental Rights has stated it is essential to demonstrate effectively that the collection and use of PNR data is necessary beyond any doubt. Right now, it is hard to believe it could be argued this is absolutely necessary. Too often, the rights of ordinary people are being impinged on in the name of fighting terrorism. This looks like another case of that.

The European Data Protection Supervisor has stated the list of data that can be included remains too extensive and should be further reduced. These people know what they are talking about. One of the core principles of the European Union is that citizens should have freedom of movement. There is no doubt that this will restrict that right.

Deputy Richard Boyd Barrett: I will not be supporting the motion. As others have said, this is Big Brother-like in how it intrudes upon the private information of our citizens and citizens across Europe. It is completely unjustified and unacceptable and it is not just me or those who have spoken tonight who have said that, the European Parliament has expressed deep concern about it, saying the proposal lacked legal certainty on its compatibility with the Charter of Fundamental Rights of the European Union and that there was a failure to adequately demonstrate the use of PNR data for the purpose of law enforcement was necessary and proportionate.

Many other bodies such as the Data Protection Commissioner, the European Data Protection Supervisor and the Oireachtas Joint Committee on EU Scrutiny have expressed concerns about the justification and proportionality of this measure in terms of the objectives it sets. I do not see this as justified but the key is that it is being pushed for by the United States as part of the

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so-called war on terrorism. That is the real agenda. If the Minister and Government wish to address the serious problem of terrorism in the world, instead of introducing Big Brother legislation that will pry into the movements of citizens and give the information to God knows who in the United States or other jurisdictions, they would be better dealing with the root causes that have driven people to misguided terrorist actions.

As the Minister knows but will probably not acknowledge, in so far as a terrorist problem has developed, much of it has to do with the foreign policy of the United States and the other major western powers in respect of regions such as the Middle East. Essentially, the powers to which I refer have set out to secure their interests at the expense of people within the Middle East. This has fuelled bitterness and anger and people have misguidedly engaged in terrorist actions as a result. We have no compunction in condemning such actions, the root cause of which is US and western foreign policy in the Middle East.

Would it not be better for the Government to begin to condemn, for example, the continued support on the part of the United States and certain European countries for brutal dictatorships such as the regime in Saudi Arabia which deny any rights, civil liberties or freedoms to their citizens. The Saudi regime is engaged in supporting the Government of Bahrain's attempts to suppress a pro-democracy movement. In the past, the regime to which I refer has armed, financed and done business with dictators such as Muammar Gaddafi. If we are serious about removing the root causes of terrorism, would we not be far better devoting our energy to breaking links with these dictatorial regimes? Would it not be better if we were to cease doing business with and arming and financing them? Would we not do more to undermine terrorism by allowing justice and real democracy to prevail in these regions rather than approving the big brother legislation that is the subject of the motion?

Minister for Justice and Equality (Deputy Alan Shatter): I thank the Deputies who contributed to the debate. I particularly thank Deputy Dara Calleary who has taken a balanced and considered approach to the motion and who has indicated his support for it. The subject of the motion is a proposal to facilitate us in opting into discussions in Europe in respect of an important measure. The discussion in respect of this measure will not only occur at Council of Ministers level, it will also take place in the European Parliament.

I was taken by the extent to which the Deputies who disagree with this proposal seem to believe the information to which it relates is of no particular relevance. I will provide two examples of circumstances in which PNR data have been usefully employed. They were used recently in the case of Mr. David Headley, the terrorist facilitator convicted of involvement in the Mumbai attacks. By using details of the suspect's first name, a partial travel itinerary and details of a vague travel window and entering this intelligence into the PNR database, the suspect's full name, address and passport number were obtained. As a result, Headley was arrested and pleaded guilty to terrorism-related charges in the context of the atrocities that took place in Mumbai. Without access to this information, he would not have been brought to justice.

PNR data have also been used in a number of significant transnational organised crime cases, including operations targeting a network involved in trafficking illegal Chinese immigrants to the United Kingdom and Ireland through other EU states. Without the use of this data, the investigation would have taken substantially longer to identify the passengers and link them to the facilitators. PNR data are a crucial and useful weapon in dealing with human trafficking. I suspect that all of the Deputies who oppose this provision would join me in opposing human trafficking and the exploitation that goes with it.

There is no point in opposing things if one does not want to take any measures to counteract them. PNR data are very effective in this context. As stated, such data are being used in countries such as the United Kingdom and Spain, not to the detriment of those who reside in these countries but rather in seeking to provide protection for citizens. The citizens of this state are entitled to the same protection from those who wish to engage in terrorist activities.

I will refrain from responding in respect of the make-believe world which Deputy Richard Boyd Barrett inhabits. The Deputy appears to believe terrorism — regardless of its objectives or origins or the identity of the group such as al-Qaeda engaged in it — is caused by the western world, particularly the United States for which he has an obsessive hatred. A more balanced approach on issues such as this would give more credibility to critiques that are voiced in respect of measures proposed.

As stated, this is one of a number of measures being taken at EU level to support police and judicial co-operation among member states in the context of combating crime. These mechanisms to facilitate co-operation among law enforcement services are an essential means of obtaining the most added value from existing sources of information, not just in the context of pursuing prosecutions against criminals but in respect of the ability to prevent crimes being committed in the first instance.

Under the terms of the proposal before the House, the Garda and customs authorities will have access to the details of passengers on flights entering Ireland from outside the European Union and, ultimately, those relating to passengers on internal EU flights. Information will be shared. The information to which I refer will be vital in tackling crime, serious crime and terrorism and in providing protections in respect of the latter. In respect of the implementation of the proposal, arrangements will have to be made for a unit to be created in the State in order to ensure the information is properly processed and stored and that the exchange of information can occur. The most careful arrangements will be put in place to ensure data protection.

This is a civil rights provision; it does not relate to imposing on the privacy of citizens in an unnecessary manner. The provision involves using basic information to provide citizens with the protection to which they are entitled against organised crime and terrorism in the State and across Europe.

Question put:

The Dáil divided: Tá, 100; Níl, 23.

Tá

Barry, Tom.
Broughan, Thomas P.
Browne, John.
Burton, Joan.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Cannon, Ciarán.
Carey, Joe.
Coffey, Paudie.
Collins, Áine.
Collins, Niall.
Conaghan, Michael.
Conlan, Seán.
Connaughton, Paul J..
Conway, Ciara.
Coonan, Noel.
Costello, Joe.

Coveney, Simon.
Creed, Michael.
Daly, Jim.
Deasy, John.
Deenihan, Jimmy.
Deering, Pat.
Doherty, Regina.
Donohoe, Paschal.
Dowds, Robert.
Doyle, Andrew.
Durkan, Bernard J..
English, Damien.
Farrell, Alan.
Feighan, Frank.
Fitzgerald, Frances.
Fitzpatrick, Peter.
Flanagan, Terence.
Fleming, Sean.

Tá—continued

Gilmore, Eamon.
Griffin, Brendan.
Hannigan, Dominic.
Harrington, Noel.
Harris, Simon.
Hayes, Brian.
Hayes, Tom.
Heydon, Martin.
Hogan, Phil.
Howlin, Brendan.
Humphreys, Heather.
Humphreys, Kevin.
Keating, Derek.
Kehoe, Paul.
Kitt, Michael P..
Kyne, Sean.
Lawlor, Anthony.
Lynch, Ciarán.
Lyons, John.
McCarthy, Michael.
McConalogue, Charlie.
McEntee, Shane.
McFadden, Nicky.
McGinley, Dinny.
McGrath, Michael.
McLoughlin, Tony.
McNamara, Michael.
Maloney, Eamonn.
Mathews, Peter.
Mitchell, Olivia.
Moynihan, Michael.
Mulherin, Michelle.

Murphy, Dara.
Murphy, Eoghan.
Neville, Dan.
Nolan, Derek.
Noonan, Michael.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
Ó Ríordáin, Aodhán.
O'Dea, Willie.
O'Donovan, Patrick.
O'Dowd, Fergus.
O'Reilly, Joe.
Penrose, Willie.
Phelan, Ann.
Phelan, John Paul.
Quinn, Ruairí.
Rabbitte, Pat.
Ring, Michael.
Ryan, Brendan.
Sherlock, Sean.
Shortall, Róisín.
Smith, Brendan.
Spring, Arthur.
Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Tuffy, Joanna.
Twomey, Liam.
Varadkar, Leo.
Wall, Jack.
Walsh, Brian.
White, Alex.

Níl

Adams, Gerry.
Boyd Barrett, Richard.
Collins, Joan.
Colreavy, Michael.
Crowe, Seán.
Daly, Clare.
Doherty, Pearse.
Donnelly, Stephen.
Ellis, Dessie.
Ferris, Martin.
Healy, Seamus.
Higgins, Joe.

McDonald, Mary Lou.
McGrath, Mattie.
McLellan, Sandra.
Mac Lochlainn, Pádraig.
Murphy, Catherine.
Ó Caoláin, Caoimhghín.
Ó Snodaigh, Aengus.
O'Brien, Jonathan.
Ross, Shane.
Stanley, Brian.
Wallace, Mick.

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

Question declared carried.

Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011: Second Stage (Resumed)

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

An Ceann Comhairle: I ask Members to clear the Chamber if they are not participating in the debate.

Deputy Bernard J. Durkan: Normally I prefer not to clear the House. I propose to share the remaining part of my time with my colleague, Deputy Peter Fitzpatrick, giving him five or six minutes.

When speaking previously on this Bill I made reference to the kind of offences which should come within the scope of this legislation. I refer, in particular, to a concern of mine regarding the level of offences against the person, what would be regarded as minor offences but which include intimidation in residential areas often carried out by young people who seem to have nothing else to do and who intimidate both other young people and older people. An order is imposed upon them under the relevant previous Act dealing with anti-social behaviour but such an order becomes a badge of honour for any youngster. He is deemed a hero and worthy of comment and capable of doing greater and worse things. That legislation is not working, it is a waste of time and has been abused. The people who allegedly suffered under its provisions are the victims of such behaviour because it carries on indefinitely. I hope that in the determination of the category of persons likely to have a community service order imposed them that such persons will be suitable to have such an order imposed upon them, that they will derive benefit from it and that there will not be repeat offending. If repeat offenders are given community service orders, one must ask if this is a waste of time. Such a policy may ease the pressure on prison spaces but if it is not achieving the purpose for which it was intended — being a deterrent — this will be a problem. I hope the Minister, in determining the regulations applicable to the Bill, will specify the grounds on which the court may decide to impose a community service order and to determine the suitability of the person on whom the order is to be served in order to ensure society does not suffer further and that the individual achieves some benefit from it by way of rehabilitation.

I note that section 4 refers to the conditions which must be met before a community service order may be imposed and this relates to what I have been saying. As regards the appropriateness of certain offenders for a community service order, I note statistics relating to prison inmates showed that in 2009 a total of 40% were imprisoned for offences against property, 21% for other offences, 17% for road traffic offences, 12% for other offences against the person such as assault, 9% for drug offences and 1% for sexual offences. The suitability of the client for inclusion in a community service order has to be carefully considered, otherwise it could become an offence to the person against whom the original offence was committed. There could be situations in which such a person could abuse the community service order by, as it were, sneering once again at the person or persons who were offended in the first place. I hope this aspect will be dealt with in the regulations.

I do not wish to labour the subject other than to say the issue of anti-social behaviour is not restricted to any particular area, any particular section of society or to any particular type of offence. A certain group of individuals who are in some cases old enough to have more sense intimidate others to such an extent as to drive them over the top, so to speak. Countless situations have been reported to Members in the past number of years in which individuals are at their wits end because of constant niggling anti-social behaviour which often results in the victim being driven out of the community to seek refuge elsewhere. This should not be the case. Society should be able to protect people from such behaviour. I hope the Bill will make it possible to identify such offenders and subject them to suitable retribution which does not cause further offence to the persons they have already offended.

Deputy Peter Fitzpatrick: It is a privilege to have the opportunity to speak in the House. I thank the people of County Louth and the Meath East constituency for their wonderful support in the general election. It is a great honour for me to be elected to this House and I promise that the interests of my constituents will always be my first priority.

[Deputy Peter Fitzpatrick.]

I speak in support of the Bill which has been brought forward by my Fine Gael colleague, the Minister for Justice and Equality, Deputy Alan Shatter, who has proved to be the best legislator in this House. In the past he introduced a number of important Bills from the Opposition benches which were accepted by the Government. The original Bill which made provision for community service orders was put through this House in 1983 by my colleague, Deputy Michael Noonan, now Minister for Finance. It is good that this legislation has been reviewed and that it will be amended for the better.

Before 1983 the courts were empowered to use either a fine or imprisonment as a penalty. The 1983 legislation provided for the first time a third option, the imposition of a community service order as a deterrent to offenders. This was a very progressive change at the time. A community service order has much to recommend it in that an offender is able to continue with his or her education or employment while fulfilling the terms of the order and he or she also repays the community for his or her criminal activity. The Bill proposes to widen the scope of a community service order. It proposes that when a judge is considering the imposition of a sentence of 12 months or less, he or she must consider the imposition of a community service order first. I wholeheartedly support this proposal. A court will be able to make a community service order if it is satisfied that the offender is a suitable person to perform work under such an order and arrangements to perform such work can be made. In reaching its decision the court will consider the offender's circumstances and the assessment report prepared by the probation officer. In addition, the offender must give his or her consent to the making of the order. As well as making a contribution to communities, these orders have the potential to make an important contribution to the cost of running the prison service. The cost of a custodial sentence is enormous by comparison with the cost of administering a community service order. This measure should reduce the necessity to release prisoners before the normal time owing to a lack of accommodation in prisons.

I wish to speak about ways of preventing criminal activity in communities in the first place. My favourite hobby is sport in general and Gaelic football, in particular. I have seen at first hand how involvement in sport can transform the lives of teenagers in communities. The teenage years are generally very difficult for boys as they strive to become young men and often clash with authority figures, teachers and parents. In the confusion of puberty they can easily be sidetracked into gangland activities and bad behaviour patterns. Involvement in team sport can be a great support at this time in their lives. It promotes a healthy mind and a healthy body. Team sports, in particular, develop discipline and co-operation, which are important lifelong attributes. If we are serious about looking after communities properly, we should ensure all young people are given opportunities to be involved in sport, especially team sport.

Too many youngsters are wandering aimlessly around the streets of towns. Their energy is often channelled into membership of gangs and other dubious activities. A truly caring community would make every effort to ensure its children are brought up in the best possible way from an early age. As Members of this House, it is clearly our responsibility to ensure communities have all the supports and facilities they need to ensure this happens. Every housing estate should have access to a good sports field; every community should be encouraged to get its children involved in team sports and every national school should have its own playing field. As someone who spent his childhood years playing Gaelic football and soccer, I am convinced that if every community had proper access to sports facilities, children would develop a much healthier lifestyle and we would see a substantial decrease in bad behaviour. This would inevitably lead to fewer community service orders and offenders in prison.

Acting Chairman (Deputy Michael McCarthy): In line with a tradition of this House, I congratulate Deputy Peter Fitzpatrick on his maiden speech in Dáil Éireann.

Deputy Catherine Murphy: I would like to share time with Deputy Mick Wallace.

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

Deputy Catherine Murphy: I support this legislation in principle, as it makes good social and economic sense. However, I would like to hear what linkages are intended to provide valuable work to match the community service audit. What agency will supervise that work?

I understand there are 4,500 people in prison in the State. That figure has grown consistently since 1997 when there were 3,500 in prison. I do not think anyone would suggest Ireland has become a safer place since 1997 just because more people are locked up. The United States which has less than 5% of the world's population has one quarter of the world's prison population. Some 2.3 million people were behind bars in the United States in 2008, which clearly shows that prison is not the deterrent it is often made out to be.

It is fair to say society benefits from imprisoning those who are a danger to it. I support that approach. In 2009, however, there were 3,601 committals for road traffic offences, which represents 33% of the total, an increase of 59% on the 2008 figure. I do not think fair-minded people would see prison as an appropriate sanction in many of these cases. I doubt that the vast majority would see a need to spend €77,000 per annum in this way. Most of society does not want to see such persons in prison. If there has been a demand within society for custodial sentences for crimes in recent years, it has been for white collar crimes, particularly those that have affected ordinary families and caused young people to go into exile of emigrataion. The attack on the living standards of the people has largely been caused by white collar crimes. People want to see punitive measures in that context because of the impact such behaviour has had on their lives.

The estimated cost of keeping a prisoner locked up for one year used to be approximately €100,000. The decrease in that figure in recent years — it is now approximately €77,000 — is accounted for by the level of overcrowding — 20% — in prisons. I do not think it is something of which we should be particularly proud. Overcrowding poses risks to prisoners and the staff who work in prisons. Overcrowding, insanitary conditions and practices such as slopping out in Mountjoy Prison are bringing the country's human rights record into disrepute.

The average cost of a community service order is €4,295 which is a fraction of the cost of imprisoning a person. As I said, it makes good economic sense. The potential benefits in terms of the work undertaken are not factored in. There is a growing body of evidence from countries such as the United Kingdom and Spain that reoffending rates are substantially lower among those who have received community service orders compared to those who have received custodial sentences — even short sentences. Our penal system should be seen as a deterrent and also as a system of rehabilitation. It is clear that the use of community service orders as a sanction, particularly for minor offences, can make a contribution towards this aim.

When we consider reforms to public services, it is essential not only that we ensure we get value for money but also that we put systems in place to reflect the society we want to create. We should look at the long term to complete the picture. It will be possible to save considerable sums by replacing prison sentences with community service orders as long as they are appropriately used. I am concerned by the suggestion that it is intended that the measures proposed will be cost neutral. The Probation Service is already stretched. I am concerned that unless the service is allowed to expand to make this measure work, it will not produce the desired results. It may also affect other work done by the service. If we do not provide for proper supervision

[Deputy Catherine Murphy.]

of the work that will be done in communities, the change we are making will quickly fall into disrepute.

Previous speakers referred to anti-social behaviour orders. When they were being introduced, we all made the point that they could end up being a badge of honour. We pointed out that a considerable amount of supervision would be required to impose properly the system that was intended. In this case, it will be up to the judge to ask the Probation Service to assess each convicted person to ensure he or she is suitable for such an order. The service will have to state whether work is available to be done. Obviously, there needs to be a link between the various services. What agency will provide the work and the supervision? Will FÁS, for example, be required to do so? If so, how will its current workload be affected? I am trying to think practically about the effects of the operation of this proposal. Will those seeking retraining be displaced? It is obvious that the age and perhaps the gender of the offender will be an issue, too. The probation officer will need to be able to rely on those supervising the work to ensure the number of hours of work specified in the order is completed. If the person who receives the community service order is unwilling to carry out the work, the probation officer will need to return to court for an alternative sanction. I think it will be determined at the same time, as that is how it currently works. If the person who receives the sentence is willing to do the work but there is inadequate work to be done, what will happen?

It concerns me that we are going about this in a fragmented way. The change is worthwhile, but we are not joining the necessary links. We are not specifying how the work will be done in practice. I am not sure that is a function of the legislation, but it would be useful to hear about the linkages that could meaningfully be made. There is also the lack of a linkage between the Garda, the Courts Service and other agencies. This fragmented approach is part of the problem.

In many cases, earlier intervention would cost the State much less than is currently the case and cause much less grief to communities. For example, the Youthreach programme is oversubscribed in some areas, which means young people who have been expelled from school are walking the streets. The level of investment required to address this problem is a tiny fraction of the cost of imposing a community service order. Youngsters who find themselves in these circumstances are at risk of going to prison. Early intervention makes a significant contribution towards keeping potential young offenders out of trouble. While the Garda juvenile liaison offices do good work, their workload is often much too large. Community service orders are a good sanction, but achieving real success would mean eliminating the need for sanctions through early intervention.

In 2009, 70% of committals were for six months or less. In some cases, the sentence was considerably less than six months. The Irish Penal Reform Trust has stated the following:

Ireland systematically overuses imprisonment as punishment. While the average prison population on any given day in Ireland is close to the European average, the rates of committal to prison on sentence — the ‘flow’ of prisoners through the system — means that Ireland has one of the most punitive criminal justice systems in Europe.

Additionally, high numbers of people are sent to prison for short term sentences, often for less than 6 months. Significant numbers of those who are sent to prison are committed there for non-violent offences, for fine default or for relatively minor road traffic offences.

This is not a question of do-gooders complaining about particular sanctions. I would not make the case that sanctions should not be imposed for certain offences. However, in 2008 there were 2,254 committals related to road traffic offences, the majority of which were for non-payment of insurance. Under the law, for very good reason, one cannot drive unless one is

insured. However, it may be open to the courts to impose instalment orders under which the cost of insurance would be deducted from a person's income, rather than locking up the individual in question at the taxpayer's expense.

While I support the Bill in principle, I reiterate my concerns about how it will work in practice. I am also concerned about its cost neutrality, an issue on which I would welcome a response from the Minister.

Deputy Mick Wallace: This legislation is good because the use of community service orders as an alternative to prison can only be positive. The Bill is, therefore, a step in the right direction. Of the people I know who have gone to prison, few emerged as better people. Unfortunately, the use of imprisonment has not had the desired effect on many of those sent to prison. While some are sent to prison to keep them out of harm's way or because they are a danger to society, many others are imprisoned in the hope they will come out of prison as better people. Sadly, this is seldom the case.

The prison system is seriously overcrowded. In January 4,500 people were in prison, double the number who were in prison 13 or 14 years ago. This is a frightening statistic and most of those with responsibility for the prisons agree that there is no chance of achieving positive outcomes in overcrowded prisons.

Other Deputies and I met representatives of the Irish Penal Reform Trust, IPRT, which has some interesting ideas on the prison system. According to it, it "has long argued that prisoners cannot be treated in isolation from the communities from which they come and to which they return, and that penal policy must be connected up to relevant policies in the health and social sphere". For this reason, it regards detention as a last resort than a first option.

It would do all of us good to spend some time doing community service as we would learn something and it could make us more healthy social animals. Obliging offenders to carry out community service gives them an opportunity to see and repair some of the harm and damage they have done to their community. This is a positive outcome.

The cost of a prison place for one year is frightening. Not only is imprisonment extremely expensive, but it results in poor outcomes. Every day Deputies argue in favour of having more money spent on certain areas. It is ironic, therefore, that we would do a better job in the criminal justice area if we were to decide to spend less money on it. We should require many offenders who would otherwise receive short prison sentences to do work in the community. A large proportion of the prison population consists of people serving short sentences. It is an investment in society to have offenders working in the community.

All states spend large sums tackling problems caused by poverty, crime, alcoholism, drug addiction and social exclusion. The State should focus on addressing the root causes of such problems rather than throwing money at them. I look forward to the day the Government shows a greater interest in tackling the root causes of problems such as inequality. It was interesting to hear a leading US economist state last week that inequality had played a part in the financial meltdown we experienced in recent years.

Looking at the bigger picture, if the Government were to decide to address the root causes, it would abandon measures to cut the numbers of resource teachers for Travellers and learning and language support teachers. These teaching staff are vital to ensuring we have a healthy society. We must invest in our young people to ensure they are less likely to fall by the wayside, become involved in crime or succumb to addiction. By investing properly and ensuring each child is given an opportunity to maximise his or her potential, we will minimise the number of problems in society. The decision to save €24 million by cutting the number of resource teachers for Travellers is about to create major problems for primary schools. I implore the Government

[Deputy Mick Wallace.]

to reconsider this proposal which will come into effect in September. It will not be good for society, particularly given the small amount of money involved. If we are serious about preventing crime rather than bashing those who commit it, we should not impose cuts in such areas.

Deputy Michael McNamara: I propose to share time with Deputy John Lyons.

This Bill which I support introduces a number of important and welcome changes to the regime for the implementation of community service orders. It increases the sentencing period in lieu of which a community service order can be made from six months to 12. Moreover, while sentences in excess of six months are rarely handed down in the District Court — it may in certain circumstances hand down 12 month sentences — the Bill explicitly provides that community service orders can now be made in the Circuit Court. This is a welcome amendment to the current regime. Most important, the Bill provides that judges will now have a duty to consider whether a community service order is appropriate.

Community service orders are appropriate in a great number of circumstances and for a number of reasons, those reasons being linked with the purposes and aims of sentencing in the criminal justice system, namely, retribution, rehabilitation, deterrence and incapacitation. With regard to retribution, the benefits of community service orders are clear in that a community or society — a crime is, in essence, a wrong against a community or society — has the opportunity to see those who have committed the wrong purge themselves of it and perform acts beneficial to society. With regard to rehabilitation, the benefits of such orders are equally obvious in that an offender at sentencing stage has the possibility to remain in his or her community and draw support from it, including from the family, as he or she seeks to deal with the wrong committed.

With regard to deterrence, as one who has worked in the criminal justice system, albeit briefly on the south western circuit before having the honour of being elected by the people of County Clare, it always struck me that for some offenders, particularly minor offenders, the possibility of receiving a very short prison sentence did not act as a deterrent. Anybody who has sat in the criminal courts, particularly in our largest cities, could only have been struck by the bravado of young and even older offenders as they awaited sentencing for relatively minor offences. Regrettably, in certain communities which in certain instances have suffered neglect since the foundation of the State a minor sentence is almost a badge of honour and, for certain individuals, going to prison is almost welcomed.

While in many cases these individuals are habitual offenders, every habitual offender begins with a first, second and third offence. A prison sentence of more than six months seems to at least concentrate the minds of offenders from certain areas of the State which are effectively under the influence of crime gangs. I make this point having spoken to young offenders who were serving more than six months for the first time and were appealing the sentence. That is the context in which I managed to speak to them; therefore, I know they feared being drawn further under the influence of criminal gangs. From this perspective, it is welcome that the Bill increases the sentence period in lieu of which a community service order can be granted to up to 12 months.

With regard to incapacitation, if an offence is of such gravity that it requires incapacitation to meet the sentence, obviously, community service orders do not apply. I must voice a reservation on one point, namely, that the consent of an offender is required in order for a judge to consider a community service order. While I am mindful of the State's obligations in the protocols to the European Convention on Human Rights, these obligations being that nobody shall be required to effectively engage in slave labour, I submit to the House that a criminal

sanction could not be considered to amount to slave labour. Mindful of what I said about minor sentences for relatively minor offences such as anti-social behaviour being a badge of honour, in the circumstances I strongly suggest the consent of an offender ought not be required in order to allow a judge to make a community service order. It is almost anathema to the criminal justice system that an offender can choose the type of sentence to be imposed upon him or her, whether it is a custodial sentence, a fine or a community service order.

I am concerned that the Bill does not appear to require judges to state the time period the community service order is in lieu of. If it is for a very short time period, given the revolving door syndrome which in itself is not as negative as it is portrayed to be, those who are sentenced to a very short period may find it attractive to serve the sentence, knowing it will be greatly reduced and, effectively, that their period of incarceration will be very brief. This might be more attractive than going into the community which they have offended by their behaviour and carrying out a community service order in view of that community, even though such an order could be greatly beneficial to the offenders in question, as they will inevitably carry out some duty which is useful and beneficial to the community. Moreover, there is a greater chance of rehabilitation in these circumstances than there would be by serving a short custodial sentence in certain instances where offenders have an opportunity to consort with persons with whom they would have consorted in the past in prison, or with groups carrying out criminal activities outside prison.

Notwithstanding my reservations, I commend the Bill to the House. I take the opportunity to congratulate the Minister on his appointment in the relatively recent as we approach the first recess of the 31st Dáil.

Deputy John Lyons: I welcome the opportunity to speak to the Bill which I welcome principally because it is a practical and appropriate response to a growing problem. We have problems with the prisons, principally relating to the space available, their quality and cost. Given the financial constraints, it is clear we cannot embark on a programme of prison building to accommodate all offenders where imprisonment must be considered. With this set of problems, we have to consider alternatives that deliver an appropriate punishment for criminal behaviour but also provide more benefits for the wider community.

Essentially, it is about striking the right balance. In recent years we have seen a considerable rise in the number of sentences of 12 months or less, which is putting the prison system under ever greater strain. We know that prison is not always the best option in the case of certain sentences. This can be because it may not prevent reoffending or it may, in certain circumstances, make a situation considerably worse. However, if a prison sentence is appropriate, we must ensure the person sentenced serves the appropriate time and is not released for reasons such as lack of space. This is crucial to allow the public to have faith in the justice system.

The Bill provides for greater use of community service orders where the court would otherwise be of the opinion that a custodial sentence of anything up to 12 months is appropriate. This is a welcome development, as I would prefer a person who has been convicted of a crime and is not a danger to the public to be given a chance to work voluntarily in the community as a form of reparation. I know from my constituency of Dublin North-West that there is an amount of work that could be done at local level which would make a real difference to communities. This may include general work which requires an extra pair of hands or, in some cases, more specialised work with which the offender may be able to assist.

I attended a meeting in a youth centre in Ballymun recently at which I was informed about a programme called Easy Street which utilised the experience of reformed persons to run a community outreach programme aimed at tackling incidences of low-level crime. This is important because most crime or anti-social behaviour is low level but can nevertheless have

[Deputy John Lyons.]

a devastating effect on communities. Those involved in the programme are making a positive contribution in their community. Avenues such as this should be explored in the context of the provisions of this Bill.

With this, as with all legislation, we must consider the issue of costs. The measures proposed in the Bill will only be effective if the Probation Service and the community groups likely to receive these individuals are adequately funded. If cost savings come from the reduced number of prison inmates, arising from an increased use of community service orders, a portion of the savings should be allocated to the Probation Service.

A community service order should not be seen as a soft sentence and rehabilitation programmes should be built into the order. Rehabilitation is not a panacea for all crime, but it should be incorporated into community service in order that the offender will not walk away, at the expiration of an order, without being rehabilitated in any way. Another benefit of community service orders is that they afford the person charged with a crime the chance to maintain family links and remain in employment, education or training. This is an important issue because where such links are broken through a custodial sentence, it may be difficult for offenders to restart their life, thereby hampering their rehabilitation.

Where perpetrators of a crime warranting a sentence of less than one year are imprisoned, the community derives almost no benefit from their punishment. I support the measures in the Bill which provide a basis for the Judiciary to consider a practical alternative which may be more beneficial both to communities and offenders.

Deputy Martin Heydon: I congratulate the Minister, Deputy Shatter, on the Bill he has brought before us and wish him well in his new role. As this is the first time I have addressed the House since my election, I take the opportunity to thank my family, friends and supporters who assisted me in the general election campaign. Most importantly, I thank the people of south Kildare who put their trust in me and placed a huge responsibility on my shoulders. I am honoured, humbled and excited by that responsibility and will endeavour to represent the people of south Kildare to the very best of my ability.

The Bill offers benefits for communities, the State and, most importantly, society in general. Within communities, a first-time offender could be ordered, for example, to assist in the removal of graffiti or become involved in a tidy towns committee. I have engaged with various voluntary organisation for many years and I am always amazed by the calibre of people who get involved. They do so not for personal gain but because of their pride in the area in which they live. Such persons give up their free time in order to make their locality a better place in which to live. They are ambassadors for the country and role models for society.

If a first-time offender who is from a socially deprived background and has been charged, for instance, with a non-violent theft is sent to prison, he or she will meet more hardened criminals with vast experience of the system and how to commit crime. The prison system functions like a breeding ground in such instances where the first-time offender is taught better means of engaging in crime without getting caught. There is no benefit to society in imprisoning such offenders. By comparison, imposing community service in such cases will put offenders in touch with passionate ambassadors within community and voluntary organisations who will open their eyes to a different view of their community. It is a no brainer. The benefit to the State from the reduced burden on the Irish Prison Service is significant. The service has reported that between 2008 and 2009 the number of committals increased by 35%. Our prisons are bursting at the seams. This is not because the country is more lawless than others. However, Irish society will gain more than most from the proposed change in the legislation because it will ensure greater fairness in how we operate.

Among all the people I met during the canvass one of the greatest concerns was the perceived lack of fairness in how people had been treated both before the recession and since. We must introduce fairness to how we deal with people. A person who fails to pay a television licence fee and the subsequent fines may well end up in Mountjoy Prison. Compare this with the treatment of some of the bankers who worked in financial services in this country and who by their actions and inaction contributed to the burden of billions of euro placed on the State and its taxpayers. It seems the people concerned are still playing golf and going on sun holidays. We must initiate a change in our society to ensure wrongdoing on such a scale is dealt with swiftly and firmly. It seems that in some cases our prisons are filled with the wrong people.

We will only get the country back on track by bringing the people with us and we will only be able to do this when there is greater equality within society. We must have a society that deals effectively with first-time offenders with a clear goal of seeking to avoid repeat offences. Prison is not the place for someone who has committed a minor road offence. In my own county community service orders are not widely implemented in the courts as a means of sentencing. That is to the detriment of the administration of justice. I hope the provisions in the Bill will ensure community service is considered more often as a better way to deal with those convicted of minor offences.

Deputy Dara Calleary: I take the opportunity, on behalf of Fianna Fáil, to wish Deputies Martin Heydon and John Fitzpatrick, on the occasion of their maiden speeches, every success. This is the first occasion on which I have formally addressed the House as spokesperson on justice issues. I look forward to working with the Minister, Deputy Alan Shatter, in the life of the Dáil in the preparation of Bills such as this and on other issues. However, perhaps we will not again schedule defence and justice business together on the same afternoon for some time.

I compliment the Minister's predecessor, Dermot Ahern, who did much of the groundwork in introducing this Bill. I understand it is essentially the same as the legislation that was before the last Dáil in advance of the general election. Everybody agrees that the rate of imposition of community service orders is not sufficient, with very few judges availing of the option. Only 28 courts have issued such orders. It is important that legislative provisions in this area are utilised more often by judges in order that people can see justice being done within their localities. The Bill does not interfere with the independence of judges and it is important that we maintain that balance between the Oireachtas and the Judiciary. It is a matter for this House to make laws and for others to implement them. We must ensure victims of crime are afforded the greatest possible protection and prospect of seeing perpetrators pay for their crimes.

Other speakers referred to the cost of prisons. The figures released today for the numbers of offences carried out while the perpetrators were on bail present another challenge in the context of this legislation. We all recognise that the Irish Prison Service is under huge pressure. Ireland has one of the highest prisoner populations *per capita* in Europe. On his retirement the former Governor of Mountjoy Prison, Mr. John Lonergan, observed that one of the key challenges in the Irish Prison Service was overcrowding and that one of the first priorities for reform should be to stop imposing prison sentences on those whose crimes warranted only a short sentence. The Bill offers a solution by focusing on community orders and the administration of justice in a visible way within communities.

We all agree that there is great demand for community service orders, but I agree with Deputy Catherine Murphy that it is important to clarify the management structure of this resource. Will it be done through FÁS, the rural social scheme or the Tús work placement scheme, for example? What training will be given to the persons managing these schemes to allow them to deal with the offenders who participate in them?

[Deputy Dara Calleary.]

It is important, if offenders are allowed to participate in existing schemes, that a distinction be drawn between offenders and those who are participating in an existing scheme as a social welfare entitlement or to use up their 20 hours per week. When placing community service order offenders in a community setting, it will be important to avoid bringing down the entire community work system by so doing and prevent everyone from being branded in the same way. It also will be important that those chosen for community service are safe to work in the community. The worst possible outcome would be for a participant in the community service scheme to commit a more serious crime while participating in that service. This would ruin the entire scheme and those who decry community service orders as a soft approach or soft justice would queue up to have the scheme destroyed.

The Bill allows us to be smarter and more clever in the manner we deal with crime and offences. It responds to a need to open up and free space within prisons for those who are more serious offenders. It responds to a need that has been demonstrated today to be more harsh on those on bail and provide far greater prison accommodation for them, particularly those accused of serious offences. We can do so by adopting this approach without major recourse to increased costs or the existing prison service.

I refer to what has happened in Scotland where the Scottish courts have recently moved to a system similar to that under discussion in the Chamber today. In 2007 there was a concerted effort on the part of the government there to increase the use of community service as an alternative to prison and in that year the number of community service orders exceeded that of prison sentences for the first time. The programme of reform culminated in the introduction of a legislative scheme through the Scottish Parliament to end completely the use of short sentences and this legislation has just come into effect. All Members should consider it as a relative point of comparison as Ireland heads down that road.

Community service orders are very important in enabling communities to see justice in respect of those who commit a crime within their own communities. Prison is something that is distant. Many of us have never seen the inside of one and cannot imagine what it would be like. However, those who commit minor offences in communities should be seen to pay for such offences within those communities. In so doing through community service orders, this can be achieved in a manner where everyone gets the benefit of the labour and the service, as well as the benefit of visible justice within their community. Many speakers have referred to how ASBOs and other court orders are perceived as badges of honour within communities. Were someone physically working or performing community service in the full view of his or her friends, neighbours and family, that badge of honour element would be diminished. People would be judged for what they were because they would be doing their sentence in front of their peers, community and families. I agree with the need for the Probation Service to be centrally involved in this regard and acknowledge it is true that the justice system is perceived as something that makes one cool and gives one a standing within one's community. However, with imagination regarding the work on offer and the tasks set under community service orders, we can begin to tackle the badge of honour issue through a community-led approach. It is essential to start at this point.

In the course of Committee Stage Fianna Fáil will seek clarification on the management programme for community service orders. Were we to emulate, for example, the Scottish experience in which more such orders are handed down than short-term prison sentences, it would require an entirely new reimagination as to how we should roll out this service. If one considers that a community service order costs approximately €4,000 per offender, it certainly constitutes value for money. However, we do not have a valuation on what potentially could be returned to communities through community effort and labour.

Deputy Martin Haydon and others have referred to the fantastic community spirit in Ireland and I imagine nearly all Members have participated in some organisation or other in being elected to this House. This measure offers the potential to use an entirely new skill set. It does not pertain necessarily to the most hardened of criminals but to those who, for whatever reason, have committed a once in a lifetime action. Consequently, a new skill set will be available, be it in sport, community development or fund raising, to be brought into the community and voluntary sectors. This offers a chance to strengthen the community and voluntary sectors and the services they provide nationwide by so doing. It will be important to ensure the proper infrastructure is put in place to manage this programme and match the skills and talents of those who may participate in the community service scheme with those organisations which need them. I emphasise again that the first time something goes wrong on the scheme, those who criticise it as being the easy option will queue up to have a go at it. If one wishes to see it work, one must ensure an appropriate infrastructure is in place to manage it and ensure offenders are seen to pay.

One challenge faced by the scheme is that many will view it with scepticism and fear. In particular, the placing of offenders, including more serious offenders, to work in community or perhaps sports organisations will give rise to the understandable fear that an offender is being brought into the community or into a setting in which some may not wish him or her to be. In some cases, as Deputy Martin Heydon mentioned, they may be asked to remove graffiti. However on other occasions, they may be asked to participate in, or work on behalf of, committees. There will be issues in this regard in respect of people's expectations and fears and inevitably issues will arise in which such fears will be preyed upon by organisations, political or otherwise, which seek to oppose the scheme. Members must be careful in this regard when laying out the work people can do, the issues in which they can get involved and the amount of information given to a sponsoring organisation in the scheme.

I refer to the subject of Garda vetting. One assumes that even though a person has committed an offence, Garda vetting will be involved for anyone participating in a community scheme. The delays associated with the vetting section are well known. Unless, as I noted, a proper infrastructure is put in place for the community service scheme, the Garda vetting delays which already are causing huge frustration and towards which Members collectively must work towards providing a solution will only get worse and lead to greater aggravation throughout the system.

The final word should be given to the Inspector of Prisons, Judge Michael Reilly, who has recommended that short-term imprisonment be brought to an end. Moreover, the words of Mr. John Lonergan who has given such great service to society for many years also echo that theme. In addition, I refer to the figures and statistics for bail released today. The Bill constitutes the first step towards so doing and Members should work quickly but appropriately to bring the legislation through Committee Stage and I hope onto the Statute Book before the summer recess in order that the challenges we face regarding the overcrowded prison community can be addressed in as benign a fashion as possible.

Fianna Fáil supports the Bill on Second Stage and looks forward to working with the Minister on Committee Stage to tweak it and make it better. However, it is important to ensure the infrastructure put in place is as robust as possible to deal with the challenges that must be faced. Perhaps this is a discussion the Minister can have with his colleague, the Minister responsible for community affairs, Deputy Phil Hogan, and other relevant Ministers.

Acting Chairman (Deputy Michael McCarthy): Before asking Deputy Dara Calleary to move that the debate be adjourned, in the tradition of the Chair I congratulate Deputy Martin Heydon on making his maiden speech.

Debate adjourned.

Private Members' Business

Energy Resources: Motion

Deputy Martin Ferris: I move:

That Dáil Éireann:

conscious of the declaration in the Democratic Programme that ‘the Nation’s sovereignty extends not only to all men and women of the Nation, but to all its material possessions, the Nation’s soil and all its resources, all the wealth and all the wealth-producing processes within the Nation’; and

in view of the vast untapped potential that exists off our shores in oil and gas reserves, estimated by the Department of Communications, Marine and Natural Resources in 2006 to be ten billion barrels oil equivalent, which at current prices amounts to a potential value of around €700 billion;

calls for:

- a complete review of licensing and revenue terms and the immediate revoking of the consents given to the Corrib consortium and the licence for Lough Allen pending such a review;
- the establishment of a State oil, gas and mineral exploration company that would hold a 51% majority share in all oil and gas finds and would have its own research facility in order to collect full and up to date information on reserves;
- the imposition of a 50% tax on oil and gas profits; and
- a 7.5% royalty;

and that the revenues that would accrue from this would provide towards the resources for long term and sustainable growth in place of the current indenture to the EU and IMF because of the unsustainable bank debt.

May I share time with my colleagues, Deputies Adams, Ó Snodaigh, Ellis and Crowe?

An Leas-Cheann Comhairle: How many minutes will Deputy Ferris take?

Deputy Martin Ferris: Ten.

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

Deputy Martin Ferris: In reply to a priority question of mine on 5 April, the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte, stated the Irish offshore is relatively unexplored. While it would be true to say it is relatively underdeveloped, it is not quite accurate to use the word “unexplored”, in that we have a fair idea of what lies off our coast. The generally accepted estimate is the one we cite in the motion and that came from the Minister’s own Department of Communications, Marine and Natural Resources, as it was then,

in 2006. According to the estimate, there were approximately 10 billion barrels of oil equivalent off our western coast, composed of 6.5 billion barrels of oil and 20 trillion cu. ft. of gas. At current oil prices, this equates to a value of approximately €700 billion.

While it is true that the actual amount of oil and gas brought ashore has been small, those reserves exist. Not only this, but the international companies have been active in acquiring licences for the areas in which the reserves are to be found. While there are undoubted difficulties and high costs involved in bringing the oil and gas on shore, one thing is certain, namely, in a world where finite energy supplies are an ever more central concern, the oil and gas off our shores will become increasingly important and valuable and, therefore, there will be a significant incentive to ensure they are brought on stream.

For this reason, the issues and proposals contained in our motion are important. The Minister may attempt to dismiss in an off handed manner, as he has done recently, the policy of Sinn Féin and others, a policy to which his former party, Sinn Féin The Workers' Party, was strongly committed, by stating that a 25% or 55% share of nothing is still nothing, but we are not discussing nothing. Indeed, some of that "nothing" from the Corrib field will be brought ashore in the not too distant future. The key issue is how it is utilised to the best benefit of the Irish people.

Nor are the proposals we are making exclusive to the parties of the left. This is what the three parties that defend the current taxation and licensing scheme, one of which claims to be on the left itself for sentimental reasons, would like people to believe. According to a recent article in *The Irish Times* by Ronan McGreevy, having the quantity of oil and gas that is estimated to lie off our shores is "a bit like a man whose home is about to be repossessed who cannot find his winning lottery ticket down the back of the sofa". It is there, but how do we cash it in? He was obviously making that comparison with the current situation, whereby the State has committed to a vast and unpayable debt consequent on bailing out the banks and the bondholders and submitting to an IMF-EU drafted austerity programme. This comparison is relevant, given that the Minister and others claim the State could not afford what would be a significant capital investment in oil and gas exploration and, in the next breath, justify the pouring of God only knows how many billions of euro into the black hole of the bank debt.

If the State were to take a more proactive role in oil and gas exploration, we would need to invest money, but it would pay a considerable dividend once the oil and gas came on stream. It is a choice between mortgaging the State for decades on behalf of private unproductive interests and investing in something we know would pay a handsome reward. Having a proper State stake in oil and gas finds and imposing the sort of tax and royalties that we propose would provide us with the same sort of bonanza that has accrued to other states where the state has refused to provide the generous terms which this State does to the multinational companies. Contrary to the myth being spread in the House, states that have imposed such terms are not necessarily radical or even on the left, nor is a proper tax rate a disincentive. If the companies are happy to pay a tax rate of 78% in Norway and an average international rate of 68%, surely they would be happy to pay a tax rate of 50% here and to concede the State share.

Professor Ray Kinsella of the Smurfit Graduate Business School also referred to our natural resources in a piece he wrote for the *Irish Examiner* on Monday. He made the point that the State is almost completely constrained by the terms of the IMF-EU programme. The Minister himself referred to it as a straitjacket prior to the election when he was obviously preparing the ground for what he knew would be his party's acceptance of the basic parameters of that deal. It is a straitjacket, but it is one that we are not forced to keep on like the inmates of some

[Deputy Martin Ferris.]

institution for the deluded. We can if we wish throw it off and Professor Kinsella proposes we do so.

The real issue facing us is whether we as a people and we as the representatives chosen by the people have the courage and vision to embark on an alternative path to the disastrous one we have set out on as a consequence of bailing out the banks and accepting the dubious favours of the EU and the IMF. According to Professor Kinsella, fundamental to this would be our having a credible set of initiatives to maximise the use of all our natural resources. He was not referring specifically or exclusively to our oil and gas, but they would be a key part.

This is the aim of our motion. In it, we set out the vision that my party and many others have of how our oil and gas resources — it could be expanded to include our fisheries, forestry and wind and wave energy — ought to be used to bring about a revival of enterprise and spirit among our people. This is our alternative to the politics and pessimism of austerity. We included the words of the Democratic Programme, which are actually a quotation from Padraig Pearse, to remind the House of the founding vision of the Republic. It is a vision that we need to bring to the fore again.

I also noted in the Minister's reply to me two weeks ago that he quoted from a 2007 departmental review conducted by his current Department. This is slightly ironic and even a bit disturbing, as it indicates that, within a short time of taking office, the Minister has shown himself to be willing to adopt the same stance on this matter as his Green Party and Fianna Fáil predecessors. This stance is different from that taken by the late Justin Keating when he was the Labour Party Minister with responsibility for this area in the mid-1970s. It also contrasts with the commitment given in the Labour Party's election manifesto to extend the current royalty regime to the Corrib consortium as part of a promised review of the terms and conditions governing oil and gas exploration. In his 5 April reply, the Minister stated he would "keep the licensing terms, both fiscal and non-fiscal, under review", but he did not indicate when the promised review would take place. Basing his reply on the 2007 review and the general tenor of his remarks indicate that no review will take place in the spirit in which the manifesto commitment was intended.

I referred to the resources protection campaign in which the Minister's former party, Sinn Féin The Workers' Party, was involved in the 1970s. I did not do so in any attempt to embarrass him, but rather to point out that much of what the party stated regarding mineral, oil and gas resources was spot on. My party and others were making similar statements at the time. Interestingly, a 1975 pamphlet published by the resources protection campaign, which the Minister would know well, referred to the fact that the excuse given for the generous terms afforded to Marathon Oil, for example, was that the incentives would ensure the State would experience an oil and gas boom similar to the one occurring in the North Sea at the time. Almost 40 years later, we are still being told it is necessary to be charitable to indigent companies like Shell. The fact is that, apart from the generous taxation terms and the write-offs provided, the licences allow the companies to sit on their claims for long periods before commencing operations. In conjunction with the fact that we do not even know what the companies have discovered in the process of exploratory drilling, most of the oil and gas off our coast forms part of the companies' long-term reserves, which they will bring on stream when they believe market conditions are right. While this may be in the best interests of the companies concerned, it is certainly not in the best interests of the State and its citizens. As the Corrib project illustrates, when the gas comes on shore, Bord Gáis, assuming it has not been broken up and sold off by then, will need to buy the gas back at whatever is the market rate.

Deputy Gerry Adams: This Sunday, Irish people will be remembering with pride and celebrating the 1916 Easter Rising. Beidh comóraidh agus cuimhneacháin ag ár bpáirtí, Sinn Féin, timpeall na hÉireann. Beimid ag ceiliúradh ní hamhaín na fir agus na mná a fuair bás ag an uair stairiúil sin, ach freisin an Phoblacht agus Forógra na Poblachta i 1916. The Proclamation asserts “We declare the right of the people of Ireland to the ownership of Ireland, and to the unfettered control of Irish destinies, to be sovereign and indefeasible.” Several years later, the programme of the First Dáil gave expression to that statement when it declared that the nation’s sovereignty extends not only to all the men and women of the nation but to all its material possessions, the nation’s soil and all its resources.

Is trua nach bhfuil an aidhm seo bainte amach ar mhaithe na ndaoine agus go bhfuil gnóthaí dona déanta ag Rialtais éagsúla ó shin. During the past two decades in particular there have been few more disgraceful examples of the corrupt relationship between business, the golden circle and the political system than the manner in which a small group of politicians have given away our natural resources to multinationals. The €80 billion EU and IMF bailout is dwarfed by the enormous value of this State’s potential oil and gas reserves, as well as base metals and fisheries.

In 2006 the Department of Communications, Energy and Natural Resources estimated that the amount of gas and oil off Ireland’s west coast is the equivalent of a potential 10 billion barrels of oil. This is worth, at today’s price, up to €700 billion. In addition, a failure to invest in developing sustainable energies and forestry and protecting our fishing rights has denied the State valuable sources of employment and much-needed revenue. Decades of mismanagement and dishonest decisions by successive Governments have resulted in a handover of our natural resources to multinational companies with little benefit to the Irish people.

It was a Fianna Fáil Minister, former Deputy Ray Burke, who introduced new licensing terms in 1987 and abolished royalties and State participation in the exploration of our oil and gas reserves. Companies were given 100% tax write-offs for exploration and development costs. Perhaps that is a subject for investigation. This was reinforced five years later when the then Finance Minister, former Deputy Bertie Ahern, reduced corporation tax on oil profits to 25% and new licensing terms which were beneficial to the multinationals.

In addition, the eagerness with which the State has acquiesced to the demands of the oil companies is exemplified in its attitude to the people of Rosport and north Mayo. There have been heavy-handed tactics by the Garda and Shell employees against people protesting in defence of their homes and land. Local people have been arrested and imprisoned, and there is the recent example of two young women arrested, with allegations of improper behaviour by several gardaí. That incident must be thoroughly investigated, as should the policing strategy and tactics being employed by An Garda Síochána. The operation of policing the site has cost the State more than €20 million. Ar lá an toghcháin, shínigh an tAire Fianna Fáil, Pat Carey, an socrú deiridh maidir le líne píopa na Coiribe. Rinne Aire Fine Gael, Phil Hogan, an rud céanna tamall ó shin.

The exploitation of the Corrib gas field also illustrates the failure of Government to have a sensible partnership agreement with the exploration company which looks after the interests of citizens. Corrib will bring little or no benefit either to the local community or to the Irish people. In addition and to add insult to injury, the harvested gas will be sold to Bord Gáis at the market rate; having given it all away and made large profits for the companies, we must buy back the gas at the market rate.

Let nobody seeking to defend the current *status quo* claim that any change to the existing financial arrangements would scare off the multinationals. There are a number of governments around the world, including Russia and most recently Egypt, which have rewritten agreements

[Deputy Gerry Adams.]

with the oil companies to take a greater share of the profits and the multinationals have not walked away. It is not too late to challenge the bad practice and decisions of the past. This Government, on behalf of citizens, should now move to acquire a majority State shareholding in our oil and gas. It should introduce an effective and just taxation and royalty regime which ensures that this State can have the financial resources to get rid of the State debt and regain our economic sovereignty by ending the involvement of the EU, IMF and ECB in our affairs.

Is í an tír seo an t-aon tír ar domhain a d'aimsigh gás as a gcósta is a thug é in aisce. A sensible exploitation strategy would also provide the funding necessary to create jobs and build a first-class public service infrastructure fit for purpose for the 21st century. The Sinn Féin motion recognises this and I appeal to every Deputy in this House to set aside party political allegiances, recognise that the Sinn Féin motion is seeking a better deal for the Irish people and to support it. The Government should move on it. Fine Gael is by its nature a conservative party but Labour, even in a previous manifestation as the Workers' Party, was right on the issue at that stage. It should not be wrong now.

Deputy Aengus Ó Snodaigh: The 2011 budget disproportionately targeted families on low incomes and in receipt of social welfare. The previous Government stated in this House to the Irish people that there was no alternative but to introduce the savage cuts and tax measures of that budget. When the current Government came along its mantra was that there was no alternative but to continue with these savage cuts. There is definitely an alternative and it is outlined in our motion.

We have long demanded that Irish Governments use our natural resources for the public good. We made that call in 1919 in the democratic programme of an Chéad Dáil, and we are making that call again today at a time when our nation's sovereignty is no less in jeopardy. In 1919 the British Crown was trying to wrestle the regained sovereignty from the risen people. In the democratic programme of an Chéad Dáil, Sinn Féin declared, on behalf of the Irish people, that it is our duty to exploit Ireland's mineral deposits in the interests and for the benefit of the Irish people. The vote on this motion will expose who has remained true to that basic principle, which is the promise to put Ireland's needs first.

Alongside the Government's duty to exploit our natural resources for our benefit, the 1919 democratic programme also declared that it was the Government's first duty to make provision for the physical, mental and spiritual well-being of the children and see that no child should suffer hunger or cold from lack of food, clothing or shelter, with all of these provided with the means and facilities requisite for the proper education and training as citizens of a free and Gaelic Ireland. If the Government fails to harness the wealth of Ireland's natural resources, it cannot fulfil its first duty to Ireland's children.

Almost 100,000 children are living in consistent poverty in the State, with the figure growing by almost 30,000 per year. These children are in families living on incomes below the poverty line, leading to experience of material deprivation. That means children are quite often hungry and cold. Ending child poverty will require immediate and long-term investment for family income supports and in quality public services. Indebting ourselves to the EU and IMF means we can wave goodbye to any prospect of spending required to end child poverty in this State. We simply cannot afford to hand over any valuable natural resources or assets along with all the taxes paid by workers to finance multinational corporations, banks, bondholders or the IMF and ECB.

There is an alternative and we cannot afford the mechanism upon which this and the previous Government have embarked in indebting our country. The Government will continue to fail in its duty to provide for the income, housing, health and educational needs of these children

if it does not reverse the odious and treacherous deal which will see multinational corporations rob the Irish people of natural resources which are rightly ours.

The deals entered into by previous Governments and endorsed recently by this Government amount to economic treason. That Ireland will have to buy back its own oil and gas at market cost is economic treason. That little or no revenue will accrue from the extraction and sale of Ireland's gas and oil is economic treason. That the Norwegian people will get more benefit from these natural resources than Ireland will is economic treason. That Ireland, under the current arrangement, will receive just 3.6% of the value of the Corrib field is economic treason. That this Government would forego the billions of euro that could potentially be raised from these resources, and thus let Ireland's children go poor, is economic treason. I urge the Minister, even at this late stage, to support our motion and withdraw the craven amendment tabled by the Government.

Deputy Jonathan O'Brien: Apart from the economic issues, which have been dealt with by Deputies Adams and Ferris, the Corrib project has proven to be highly controversial with widespread opposition to the pipeline in Mayo. Apart from safety and the environmental concerns, many of those involved in the protest have based their opposition on the fact that as things stand, the Irish people will gain little from the gas coming onshore. The reaction of the consortium and the State to the campaign also leaves much to be desired. It has been heavy-handed, to say the least. We saw more evidence of this recently, with allegations that certain members of the Garda had joked about rape of two female protesters. In 2005 we had the disgraceful jailing of five men from Rosspoint after Shell took an injunction preventing them from engaging in legitimate protests at the site of the pipeline as it was then proposed.

Since then, Shell has made some alterations to the route — which it claimed at the time it could not and would not do — but many in the local community remain strongly opposed to the pipeline, for which consent was given on the day of the election by the former Minister for Community, Equality and Gaeltacht Affairs, Deputy Pat Carey. Although both Fine Gael and Labour protested at the manner in which this consent was given, the Government has done little to overturn it. In fact, it has stood by the decision. The lack of action or urgency on behalf of the Government has done nothing to reassure those who, locally and nationally, are still opposed to the project and will continue with their campaign of opposition.

I referred earlier to the policing of the protests in Mayo, which has raised some serious issues. On the State side, we have the example of some members of the Garda acting in a hostile manner towards protesters. This is not to mention the conservative estimate of the cost of all of this policing, which runs to more than €20 million. Protesters have been harassed, followed and searched, and there was the recent allegation to which I referred earlier. This is not the only time such an allegation has surfaced. A local woman has alleged that she was subject to similar abuse on another occasion. According to numerous reports, sexual intimidation is quite common in that area. Apart from the Garda, there are also private security operatives who seem to act with impunity. Shell's own security company, IRMS, has been involved in a number of incidents, including physical assaults, intimidation and the photographing of children. Its members have also been accused of taking photographs of people through the windows and doors of their own homes.

All of this action is designed to intimidate local residents and protesters. As the recent film "The Pipe" has shown, many local people feel they are in a community living under siege. The calibre of those involved in providing security has also been called into question. One person who worked for the company at Glengad later turned up in Bolivia, where he had dealings with members of a fascist group that was allegedly planning to kill President Morales. There was also the case of the undercover British policeman Mark Kennedy, who spent several days

[Deputy Jonathan O'Brien.]

at Rosspoint in 2006. Kennedy's task was to infiltrate anti-globalisation and environmental groups but we have yet to receive a report on what exactly he was doing in this country, on whose behalf he was working, and whether the Garda was aware that he was here.

With regard to the wider legal issues connected to Corrib and the oil and gas sector generally, there are grounds for a full investigation of issues including the granting of licenses, the changes to the revenue terms and the transfer of State forestry lands at Bellanaboy to the consortium for the construction of a refinery. As was said at the time of the publication of the Flood tribunal report containing evidence related to Ray Burke which led to his being jailed on corruption charges, the terms of reference of that report should have been extended. Ray Burke was the Minister responsible for giving away the State's share of oil and gas funds. We know that he met privately with oil company executives against the advice of senior officials in his Department. Given what we also know about his activities with regard to planning, a full investigation should be made into his role in all of this.

In light of all the information we now know, there is a case to be made, as we propose in the motion, for a full review of the granting of all licenses, and consent for Corrib and other projects should be revoked pending the outcome of such a review. This would not be unheard of; the Russian Government did exactly what we are proposing in 2007, when it re-established a majority state holding in several projects, including one involving Shell, because of environmental violations and suspicions about the manner in which licenses were granted and operated. The only review approaching the type we consider is required was one carried out by the Centre for Public Inquiry. The CPI then became the centre of a politically motivated controversy and was forced to cease its operations. Perhaps this was a coincidence but even so, there can be no doubt but that its intention to investigate other murky areas of Irish public life was not welcomed with open arms by members of the political and economic elite.

The report on Corrib makes for interesting reading. Among its key findings, it concluded that the pipeline as proposed carried a high risk of failure and that the quantified risk assessment on the basis of which planning approval was granted was inappropriate to the type of pipeline proposed. The report also outlines the unhealthy and unusual access that company officials had to those in power, and the timeline demonstrates how crucial favourable decisions often followed quickly after meetings with relevant Ministers. This all took place during the era of the Galway tent, and the fact that Enterprise Oil was a regular attendee and facilitator will not, I am sure, be lost on anyone in the House. Kevin Moore of An Bord Pleanála recommended the rejection of the project on environmental and safety grounds. His advice was, of course, ignored. The subsequent decision by An Bord Pleanála followed a meeting between members of the board and leading oil company officials from Shell, Statoil and Marathon. There was coincidence after coincidence.

Kevin Moore also questioned the sale of Bellanaboy Wood for the 400 acre refinery site. He pointed out that the consortium required such a single site under sole ownership and that this just happened to be one owned by the State forestry company, Coillte. Questions remain to be answered about how all of this came about. Legislative steps were then taken to ensure that a private company could build on privately owned land. All of this took place even before the application for planning permission had been submitted. There are many other items of interest in the report and I recommend all Deputies to read it. It also provides a good model for the type of review we propose in our motion.

I referred to President Morales of Bolivia. He nationalised Bolivia's mineral resources on the basis of a referendum held in 2004 on a proposal to take control over those resources. Perhaps that is something this Government should consider to embody constitutionally what the authors of the Proclamation and the democratic programme of the first Dáil clearly

intended, namely, to establish and guarantee the nation's sovereignty over "all its material possessions, the Nation's soil and all its resources, all the wealth and all the wealth-producing processes within the Nation".

That was the vision of the Republic expressed by those we will honour next Sunday. It is a vision which every subsequent Government has failed to live up to but remains worth remembering, particularly at this time when our State's sovereignty has been further undermined by the conditions attached to the bank bailout and the IMF-EU austerity programme. Such a constitutional change would also ensure that when pressure is applied, as it surely will be, for the sale of State companies, including the 7% of the land under the control of Coillte, we will have built-in protections.

I ask all Deputies to give consideration to this motion and I hope it will get the support of Deputies beyond my party. I ask the Government to withdraw its amendment. My party intends to follow this motion in Leinster House by proposing similar motions at local level at town, city and county councils of this State.

An Leas-Cheann Comhairle: Deputy Ellis has seven minutes.

Deputy Dessie Ellis: Last February there was an energy action conference on fuel poverty. A speaker from Age Action noted that inability to pay for home heating might contribute to approximately 2,000 winter deaths in the State each year. Older people are more likely to be affected and are generally at higher risk of fuel poverty. Increasing numbers are falling into arrears on their utility bills and hundreds of thousands are entering into payment plans, many of which they still cannot afford. Disconnections are commonplace. Deaths from the cold, while rare, still happen. It is a scandal that a person could be allowed to die from cold in this day and age because he or she cannot afford to heat the home adequately.

The Government is happy to sell our natural offshore resources while it fails to seek revenue to help those in fuel poverty. Although the Commission for Energy Regulation announced that it is to maintain gas prices at current levels for residential and business customers until the end of September it is clear there will be increases after that date. Certain people have tried to justify increases, stating that Irish consumers pay less than the European average for gas. This argument does not stand up. Such people deliberately ignore the fact that we do not have a continental climate and therefore use more fuel. People cannot afford to pay more. People are being let go from work and are waiting months to receive the most minimal kind of redundancy payments. There are pay cuts and cuts in hours of work. There is the universal social charge, a review of which we still await. There is no need for it to be reviewed — it needs to be abolished.

The people cannot take any more. Ordinary working people are hurting because money goes to gas companies. It is a disgrace. Sinn Féin calls for our natural resources to be put in public ownership to realise profits for all the people, as per the democratic programme of an Chéad Dáil. We ask for this to be managed sustainably, in the public interest and for the benefit of future generations. We ask that an all-Ireland infrastructure be developed and the oil and gas sectors be nationalised to maximise non-tax public revenue generating potential.

If it had the political will, the Government could use natural resources to help revive and develop our economy. However, it does not and wishes simply to hand over what is ours to multinational companies. Contrary to popular belief, Ireland is rich in natural resources. Decades of Government mismanagement have resulted in a massive hand-over of resources such as natural gas, minerals and fisheries. In addition, a failure to invest in developing sustainable energies and forestry has denied the State valuable sources of employment and much needed revenue.

[Deputy Dessie Ellis.]

On the day he lost his seat and his party lost power the former Minister, Mr. Pat Carey of Fianna Fáil, issued an order for the last section of the Corrib gas pipeline. It was an act of disgraceful political cynicism. He had no political or moral authority to give the go ahead for a pipeline over which many concerns still exist even after changes were made following a ruling by An Bord Pleanála. The underhand manner in which this order was made proves that even in its dying days Fianna Fáil was doing favours for its friends at the Galway Races.

Having allowed this to continue Fine Gael and the Labour Party show themselves to be no different. The Corrib field will bring little or no economic benefit to our people under current revenue terms. We propose that the State take a majority share in all oil and gas reserves and impose proper taxation and royalties. The potential revenue stream from this measure would go a long way to addressing the current economic situation. Even in its dying days, Fianna Fáil was doing favours for speculators and its friends in big business. Questions remain to be asked about the conduct of the whole affair. Before the people of Dublin North West kicked him out of office, the former Minister, Mr. Pat Carey, maintained he had not signed the document on a whim and the entire process had taken eight months. However, the Green Party contradicted this when the former Minister, then Deputy, Eamon Ryan, stated he had not seen sight of the documents before he left office. Deputy Éamon Ó Cuív, who replaced the former Minister, Mr. John Gormley, was adamant the documents had not come to him. Perhaps this will be the subject of a tribunal further down the road. At the time this emerged, the then Labour Deputy, Mr. Michael D. Higgins, condemned the action and called for full transparency in respect of any communication between the Department and interested parties. I hope his party colleagues will heed this call.

Ownership and control of these resources should be returned to the people. Táár dtodhchaí i gceist. Tá meoin na ndaoine i gceist. Táár muintir agus ár dtír ag fulaingt gan ghá leis ar chor ar bith.

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I move amendment No. 2:

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

“recognises that the true potential of Ireland’s indigenous petroleum resources can only be established through effective exploration and calls on the Government to continue to take measures to attract an increased share of mobile international exploration investment to Ireland by:

- maintaining fiscal licensing terms that appropriately reflect the risks and rewards of investing in petroleum exploration in the Irish offshore and onshore, relative to investing in exploration in other competing jurisdictions; and
- offering appropriate licensing opportunities designed to attract new companies to Ireland, supported by an active promotion campaign underpinned by petroleum research projects; and

and

further recognises that, having regard to the fact that only four commercial discoveries of petroleum have been made in the Irish offshore since the 1970s and to the significant costs involved in exploring for oil and gas in the deep waters of the Irish Atlantic Margin, that the cost of such exploration should be borne at this time by industry and not by the taxpayer.”

With the permission of the House, I wish to share time with Deputy Healy Rae and the Minister of State at the Department of Communications, Energy and Natural Resources, Deputy O'Dowd.

An Leas-Cheann Comhairle: Agreed.

Deputy Pat Rabbitte: I welcome the opportunity for the House to hold an informed discussion on the question of the tax terms that apply to petroleum production in Ireland. The Private Members' motion proposed by Sinn Féin, which is along the same lines of some earlier commentary in the House and in the media, clearly demonstrates the need for a well informed debate on this subject. Too often, public discussion of Ireland's tax terms relating to the production of oil and gas is informed by a gross misunderstanding or, perhaps, a misrepresentation of the facts. In my contribution, I intend to focus on the facts and the realities. I will convey to the House the rationale underpinning Ireland's fiscal terms for oil and gas production and I will demonstrate why Ireland's existing terms are appropriate for now. I will present the facts which demonstrate why, from an exploration perspective, the Irish offshore should be differentiated from the offshore of the UK or Norway. I will address the developing myth that a simple change to Ireland's tax policy in this area could be a panacea for all the challenges faced by our economy.

I wish to address the last point first. As I stated, there is a developing myth that Ireland has vast discoveries of oil and gas off our shores and that imposing a higher rate of tax on the production of these petroleum resources would eliminate all of our financial worries. Unfortunately, the reality is quite different. There is periodic publicity and not infrequent misrepresentation about a research finding from a study sponsored by my Department which estimated there could be in the order of ten billion barrels of oil equivalent in the Irish offshore. This is an estimate of the yet-to-find potential of the offshore frontier basins west of Ireland and is based on petroleum systems studies. It is an estimate of what might be present based on geological criteria and regional comparisons. Some commentators have chosen to represent this estimate in a manner that would suggest this volume of oil and gas had actually been discovered offshore Ireland. Clearly, this is not the case and it is misleading to suggest otherwise. To do so is to ignore the fact that this is simply an estimate of what may be out there but has yet to be found. It also ignores the fact that it would take hundreds or thousands of exploration wells to discover if the estimate is accurate. Also, it ignores the fact that even with an intensive and expensive exploration effort, the benefits that would accrue to Ireland would only be realised ten, 15, or 30 years from now.

The cost of drilling even 100 exploration wells in the Atlantic could be well in excess of €10 billion. Deputy Ferris argues for a more proactive role by the State but at €80 to €100 million spend per hole drilled I am unsure where the money could be found for that at this time.

Deputy Martin Ferris: What about the money the Government put into the banks?

Deputy Pat Rabbitte: Having regard to the high risk of unsuccessful exploration, it is difficult to make the case that the Irish taxpayer should invest billions of euro in an intensive exploration effort at this time. Instead, this should be left to the industry, which can include exploration in the Irish offshore as part of a balanced international exploration portfolio.

The rationale underpinning Ireland's tax policy approach in the area of oil and gas production is simple. The oil industry is a global industry and Ireland competes not only with other European countries but with other regions of the world to attract exploration investment to Ireland. As a result, Ireland cannot set its tax terms in isolation or we would risk discouraging all potential investment.

[Deputy Pat Rabbitte.]

Industry decisions on where to invest in exploration are principally driven by two key factors — geology and economics. Where the industry views an area as being highly prospective, it will be prepared to invest in exploration even if the tax terms are relatively tough. Of course, the opposite is also true. While the Irish offshore has recognised petroleum potential, it is rather under-explored when compared with other offshore areas such as Norway or the UK. The high level of successful exploration in the UK and Norwegian offshore areas has resulted in exploration companies being prepared to invest heavily in exploration in those countries, despite the fact that these states' tax take, as previously stated, is much higher than in Ireland. For example, in excess of 1,200 exploration and appraisal wells have been drilled to date in Norway and in excess of 4,000 in the UK. This compares with a total of 156 in Ireland. When Deputy Adams states that the multinationals have not walked away, he is correct. When the prospects are high, they have not walked away. However, they have long since drastically limited their involvement in our waters, which can be rather turbulent, as no one knows better than Deputy Ferris.

The statistics are more dramatic when it comes to producing fields. The UK has in excess of 300 producing fields and Ireland has only three with a fourth in development. The number of wells drilled or the number of producing fields do not tell the full story since the size of producing fields can vary significantly. For example, the giant Troll field offshore Norway is in the region of 50 times the size of the Corrib gas field. The bottom line is that if Ireland's petroleum tax terms were fixed at the same level as those of the UK or Norway, then we could expect no exploration investment would locate in Ireland. That would mean no new exploration wells and no new oil or gas discoveries. Those who maintain our tax terms are too low might be satisfied but I remind them that 60% of zero is still zero.

If a reasonable person were looking for countries with which to compare Ireland's petroleum tax terms, he or she would look to countries such as Portugal, Spain and France with more similar success records to Ireland. Under the 2007 terms, the tax rate in Ireland varies from 25% to 40% depending on the profitability of the oil or gas field. This compares well with a tax rate of 27.5% in Portugal, 30% in Spain and 34.4% in France.

Deputy Ferris reminded me of my ambition for this industry in the 1970s. The Deputy was 30 years behind me then and he is 30 years behind me now. It is true that when Ireland's first licensing terms were introduced in 1975, they provided for the then prevailing rate of corporation tax, which was 50%, along with royalties. At that time, there was a perception that the Irish offshore would be the next North Sea and the licensing terms were written to reflect this. With only four commercial discoveries of gas since then and no commercial discoveries of oil, it is clear that the optimism of the 1970s was unfounded. The revisions to the licensing terms since 1975 addressed the emerging reality that Ireland was not the new North Sea and that there was a need to take measures to incentivise mobile international exploration investment to choose Ireland over other areas that had been more successful to date.

The abolition of royalties in 1987 was one such measure. Ireland followed the lead of Norway and the UK which had moved from a royalty based regime to a tax based regime. Royalties are a relatively blunt instrument, in that the charge is not related to profit. A tax on profits is a more predictable charge for both industry and Government. I recognise that setting the tax rate for a sector such as the petroleum exploration and production sector is not an exact science. The experience of the past 25 years since royalties were abolished in Ireland and the almost 20 years since a 25% basic tax rate was introduced provides ample evidence that Ireland had not set its terms too low. There was no stampede of exploration investment after a petroleum tax rate of 25% was introduced in 1992, at a time when the general rate of corporation

tax was 40%. In the following decade an average of three wells a year were drilled in the Irish offshore. This compares with an average of almost 80 wells a year in Britain in the same period.

In 2007 the tax terms were again reviewed. The review undertaken by independent economic consultants considered the appropriateness of Ireland's licensing terms in comparison with other European countries with which Ireland competed. It concluded that there might be potential to capture a higher share for the State on more profitable finds but that the potential for this should not be overestimated. Accordingly, it recommended the introduction of a supplementary tax in the case of more profitable fields. The 2007 terms apply to all exploration licences granted since January 2007. Under the 2007 terms, the State's tax take on very profitable fields will be up to 40%.

I would now like to turn to the matter of the Corrib gas field and the manner in which the State stands to benefit. While construction of the facilities to date has generated significant employment opportunities, the principal financial benefit to the State will be in the form of the 25% tax rate that applies to profits from the field under the 1992 licensing terms. In the normal way, the tax provisions applying are set down in the Finance Acts, not in a contract with the developer. The 2007 tax terms do not apply to the Corrib gas field, as they do not apply to exploration licences granted prior to 2007. To do so would have been to introduce what would, in effect, have been a retrospective form of taxation and such an action would not have been in Ireland's interest.

The second way in which the Corrib gas field will benefit the people is that it will significantly strengthen Ireland's security of energy supply. Corrib gas will meet approximately 60% of Ireland's gas demand in the first four to five years of production. That will represent a significant strengthening of Ireland's natural gas security of supply as Ireland currently imports approximately 95% of its natural gas needs.

I reject the call made to revoke existing exploration and production consents. Ireland needs more exploration for oil and gas, not less. It needs more discoveries such as the Corrib gas field. While it might suit conspiracy theorists to suggest otherwise, the reality is that the number of commercial discoveries made in the Irish offshore is very low. Exploration levels have also remained stubbornly low, despite a range of initiatives directed at attracting an increased level of investment. This represents a real challenge for Ireland. Without an increase in the level of exploration activity Ireland will not benefit from its indigenous natural resources. It is something of a catch 22; more exploration effort, in particular exploration drilling, is needed if the petroleum potential of the Irish offshore is to be proven, but until more commercial discoveries are made, it will continue to prove difficult to attract a significant level of new exploration investment to Ireland.

In an effort to attract exploration investment to Ireland the Department actively promotes the opportunities for investment in the Irish offshore. It also supports research initiatives directed at developing knowledge of Ireland's petroleum potential. At the end of next month the 2011 Atlantic margin licensing round will close. This licensing round is structured differently from previous rounds and aimed at stimulating a new momentum in exploration activity. In particular, it has the objective of attracting some new exploration companies to the Irish offshore. I look forward to its conclusion in six weeks time. I am hopeful it will bring a new momentum to the level of exploration activity in the Irish offshore. This, in turn, would increase the chances of much needed new commercial discoveries being made.

I do not have to remind the Deputies in whose names the Private Members' motion was submitted that the 1919 democratic programme also provided that, "It shall be our duty to promote the development of the Nation's resources, in the interests and for the benefit of the Irish people". I trust that I have clarified for the House that the Government does have a clear,

[Deputy Pat Rabbitte.]

sensible and rationale approach in this area of public policy. It is a policy approach with a clear objective of ensuring the people do benefit to the maximum degree possible from our indigenous natural resources. It is a policy approach that recognises also that Ireland needs to attract a significant increase in the level of mobile international exploration investment. It is a policy approach that offers the best chance for the people to benefit from our indigenous oil and gas resources. Ireland's oil and gas tax regime is fit for purpose. The challenge for Ireland is to encourage a sufficient increase in exploration activity to bring about further commercial petroleum discoveries. It is only by doing this that the people will benefit fully from our indigenous oil and gas resources.

Deputy Michael Healy-Rae: I thank Sinn Féin for bringing forward the motion and the work it did in preparing for it. I also thank the Minister for his comprehensive response.

The exploitation of the natural resources of the State is a matter that should and must be the subject of a proper debate on how we as a nation should maximise them for the benefit of citizens. I welcome the opportunity that the motion gives to engage in a wider debate on this critical issue. I have reservations about accepting the motion as it stands because it goes too far too quickly. Having listened to the Minister's comprehensive response, he has added to the debate. That is what the House is about; Members bringing forward and debating an issue.

We must debate this issue in a wider context where all of the natural resources of the State are used for its benefit, not solely for the shareholders of multinational conglomerates. There is no doubt that mistakes were made in the past in licensing the exploration and harvesting of the vast natural resources of the State and that lessons must be learned from them. I knew a great man who always said to me: "The person who never made a mistake never made anything." As a nation we must be shareholders in exploiting the resources of the State. As Members of the House we are the servants of the people and it is incumbent on us to maximise the value to the State of the harvesting of these resources. In these times of financial hardship for many it is imperative that all streams of available revenue are explored. I, therefore, urge the Government to give a commitment to a total review of the licensing procedures for the exploration and harvesting of the State's natural resources. If we as Members of the House aspire to having a fair and just society, we must be seen at all times to be working in a way that the multinational conglomerates which received licences to explore and harvest the natural resources of the State are not seen to be exploiting citizens for profit.

I again thank the Minister for his response and Sinn Féin for tabling the motion. This is a good debate to have in the House.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Fergus O'Dowd): Tááthas orm an deis seo a thógáil chun páirt a ghlacadh sa díospóireacht tábhachtach seo. Is ábhar tábhachtach é seo ar fad. Bíonn go leor plé sna meáin chumarsáide faoin ráta cánach a bhaineann leis an earnáil pheitriliam. Is maith an rud é go bhfuil an díospóireacht ar siúl anocht chun an cheist a phlé agus an t-ábhar a shoiléiriú.

Is léir dom go bhfuil ról tábhachtach ann don earnáil pheitriliam chun cuidiú le geilleagar na tíre sna blianta atá romhainn. Más rud é gur féidir linn níos mó a dhéanamh, caithfidh polasaí an Rialtais bheith docht daingean agus a chabhrú go mór leis na comhlachtaí atá sásta airgead a chur isteach sa tír seo chun an earnáil sin a thabhairt isteach.

Mar sin féin, is léir dom go bhfuil tráchtairí ann a thabharfaidh le tuiscint go bhfuil Éire ina suí ar shaibhreas ollmhór agus, mar thoradh, go bhfuil an ráta cánach ró-íseal. Ní aontaím leis an dearcadh sin ar chor ar bith.

I welcome the opportunity to contribute to this debate. Too often the debate on Ireland's tax terms for the production of oil and gas has been characterised by overly simplistic arguments. These arguments frequently have little grounding in fact and pay little attention to reality. On other occasions it is even worse and the debate can be characterised by misinformation and presentation that attempt to tell the Irish public that we are sitting on vast petroleum resources comparable to those being produced in Norway or the United Kingdom. The message being communicated is that all Ireland needs to do is increase the relevant tax rate, introduce royalties on petroleum production and all of our economic concerns will be at an end. If only there were such a simple answer.

While a line of argument such as that to which I refer may suit the objectives of some, it is not only unhelpful but has the potential to be damaging. Research sponsored by my Department has estimated the possible petroleum resource potential of Ireland's offshore. The purpose of that research was to assist Ireland's efforts to promote its offshore as a potential location for exploration investment. The research estimated that there could be reserves of up to 10 billion barrels of oil equivalent in the Irish offshore. Let me make it clear: this is an estimate of what might be present and is not based on actual discoveries already made.

There is no valid basis for making the jump from an estimate of what might be present to then treating it as if it were oil and gas that had already been discovered and could be produced. To do so is to totally misunderstand the research conclusions and ignore the significant and expensive exploration work that would be required to establish the veracity of the 10 billion barrel estimate.

As is often the case, the reality is less fantastic and may not suit the agenda of some people or parties. While the Irish offshore has recognised potential as a petroleum-producing area, it is relatively underexplored. It is an area where there has been relatively limited exploration and in which there have been only four commercial discoveries to date. As a result, the petroleum potential of the Irish offshore is largely unproven. This is quite the opposite to the experience in Norway and the UK. In those countries, extensive exploration, carried out over many decades, has clearly proven the existence of significant petroleum reserves.

Regardless of whether we like it, there is a fundamental difference in the position of Ireland and that of countries such as Norway and the UK. We would be better off if the reality was different and if Ireland was in a position similar to those occupied by Norway and the United Kingdom. The truth is that we do not have proven reserves of anything approximating the levels which obtain in Norway or the UK. As a result, Ireland could not impose a tax regime similar to those which hold sway in Norway and the United Kingdom and still hope to attract exploration investment. We have worked hard to build some modest momentum in exploration activity during the past decade. Imposing a tax regime similar to those which obtain in Norway and the UK at this point could be expected to wipe out all interest in exploration in Ireland overnight. It is quite obvious that this would not be in the national interest.

The following factors all contribute to the relatively low level of exploration activity in the Irish offshore — the international industry's perception of the prospectivity of the Irish offshore relative to that of other areas; the cost of exploring the offshore is high as a result of both its remoteness and deep water depths — in the Atlantic margin, water depths are seven to eight times greater than those in the North Sea; the cost of drilling a single deep-water well in the Atlantic can be in excess of €100 million; and limited availability of infrastructure, such as pipelines, terminals and platforms, increases development costs and impacts negatively on the commerciality of smaller marginal oil and gas discoveries.

[Deputy Fergus O'Dowd.]

Notwithstanding this, Ireland continues to attract new companies and new exploration interest. This is achieved through active promotion of the opportunities offered by exploration in a frontier area such as the Irish Atlantic margin. A key to this is the holding of regular licensing rounds. As the Minister stated, at the end of next month the 2011 Atlantic margin licensing round will close. This is the largest licensing round to date and relates to an area of just over 250,000 sq. km and includes all of Ireland's major Atlantic basins. The Atlantic margin licensing round is designed to: attract new exploration companies and new exploration investment to Ireland; encourage companies to look at areas of the Irish offshore in respect of which little data currently exists and little is known of their potential prospectivity; and bring a new momentum to the level of exploration activity offshore.

While informed debate is always positive and to be welcomed, overly simplistic contributions are unhelpful at a time such as this. If we are to be more successful in attracting international investment in respect of oil and gas exploration, we will achieve this by advancing our case on the basis of its being supported by science and reason. We can be more successful in this regard if we provide access to quality data and new ground-breaking research, coupled with a tax regime that recognises Ireland's attractiveness relative to other competing jurisdictions.

An unrealistic debate that is premised on the 1970s analysis of the Irish offshore being the new North Sea is not particularly helpful. Calls for the revocation of licences already granted do not help in building confidence in the stability of Ireland as a place for foreign investment. The message we must communicate is that from an oil and gas exploration perspective, Ireland is very much open for business. We must send a clear message that new exploration companies would be welcome and that there are good opportunities for investment in the Irish offshore. We must also communicate that key aspects of the regulatory regime governing oil and gas exploration and production have been modernised in recent years. We must also advertise the commitment in the programme for Government to further streamline that regulatory framework.

It is 15 years since the last commercial discovery was made in the Irish offshore. That is a negative factor in seeking to attract new companies to Ireland. We must send out a clear message. We require an approach that encourages more rather than less exploration in the offshore; creates certainty and not uncertainty; and ensures that the people of Ireland benefit from its natural resources. This Government is committed to acting in a way that will incentivise exploration for Ireland's indigenous oil and gas resources. Maintaining a balanced fiscal regime which reflects, in an appropriate manner, Ireland's relative attractiveness when compared to other countries is central to that objective. The current fiscal terms meet the objective to which I refer.

Deputy Éamon Ó Cuív: Ba mhaith liom leasú Fhianna Fáil a mholadh: go gcuirfear an cheist seo faoi bhráid choiste na Dála mar ní féidir é seo a phlé in uair go leith. Nuair a tháinig an Dáil seo le chéile, gealladh dúinn ag an Rialtas go mbeadh bealach nua polaitíochta ann, bealach a bheadh oscailte agus a thógfadh isteach Baill an Tí seo chun scrúdú a dhéanamh trí choistí ar mhórfhadhbanna agus ar mhórchéistean an lae. Mar sin, iarraim ar Shinn Féin agus ar an Rialtas glacadh leis an mholadh atá déanta ag Fianna Fáil go gcuirfear an rud seo ar fad faoi bhráid coiste le plé go mion le gur féidir linn ní amháin dul ina luí orainn féin ach chomh maith leis sin dul ina luí ar an bpobal i gcoitinne maidir leis na téarmaí atá ar fáil do thoraíocht ola agus gáis ar an gcósta.

I wish to recommend Fianna Fáil's amendment to the House. Our amendment recognises the fact that the Government will leave the Chamber convinced that it is in the right. I do not believe Sinn Féin has been persuaded by the Government's position. This entire matter should

be referred to the Dáil committee relevant to the Minister's Department when it is established and should be examined over a fixed period of six months. During that period, the committee should be given the necessary resources to allow it to invite whomever it wishes to come before it. In addition, the Department's analysis relating to this matter should be made available in order that we might achieve a meeting of minds.

No matter what the Government says or believes — when we were in Government we took a fairly similar line — there is a perception that our national resources have been made available to bidders on very favourable terms. I have heard both sides of the argument. I attended a meeting in Galway last year when we debated this issue at length. If this Dáil is to mean anything, surely this is an ideal subject to put before a committee, bring in all the people who have different views on it, hear them out, let the committee put a report to Government and ask it to act on that report within three months.

I cannot understand what anyone has to lose by agreeing to this. Sinn Féin Deputies, rather than having a day of glory in the House and making fixed speeches, would get an opportunity to test the theories they have put forward and see if they hold water and if we are selling our resources at bargain basement prices. They believe we are. I believe none of us knows until we examine all the various ideas put forward in detail. Only then, when we have informed ourselves, will the House be in a position to decide whether the terms are right.

I was amazed at tonight's speeches. If Fianna Fáil Deputies had given those speeches at any time in the past ten years, the members of the Government would have lambasted us. They would have said we had sold our birthright. There would have been dark mutterings about certain politicians having given away our national resources.

Deputy Fergus O'Dowd: Would that be Ray Burke?

Deputy Seán Crowe: We have not heard tomorrow night's speeches.

Deputy Éamon Ó Cuív: It is amazing that, tonight, they trot out the Department's line. Given my association with the discussion that took place on the Corrib gas field, I am more familiar with it than most. If only to allay public disquiet, whether well-founded or not, what is to be lost by opening all the books? If the Government believes it has a watertight case, historically and in the terms offered for the future, what is to be lost by facilitating a thorough examination of this issue by an Oireachtas committee, seeing if the arguments the Department has traditionally made hold water and acting accordingly? Even if the Government is 100% convinced these are the best terms, we all have much to learn from discussion of these issues. I cannot understand why the Government would not go the extra mile, have this detailed debate and then persuade the public.

Everything that has been said tonight has been said before. I have read all of that documentation. I read the report that was produced before the former Minister for Communications, Energy and Natural Resources, Éamon Ryan, made the changes in the exploration terms. However, the people are not convinced. Therefore, I ask both sides of the House, in the new dispensation that this Dáil promised, to consider, overnight, referring this matter to an Oireachtas committee with clear terms of reference, the resources and powers to carry out the examination and a fixed time limit within which to report. This is what I propose in my amendment. That would have three possible results.

Deputy Pat Rabbitte: What does Deputy Ó Cuív want us to examine?

Deputy Éamon Ó Cuív: We would examine the issue that is before us tonight, such as whether the terms are right.

Deputy Pat Rabbitte: Right.

Deputy Éamon Ó Cuív: The Minister's Department will tell him there can be no argument or question about this. However, there are Members and large numbers of people who are not convinced by the Department's arguments. It is fair to say the Minister was not entirely convinced by those arguments a few years ago but he is suddenly convinced by them after two weeks in the Department.

Deputy Finian McGrath: He used to want to nationalise the lot.

Deputy Éamon Ó Cuív: If the Department has such good information that it has convinced the Minister so quickly, why can he not go to a committee, go through all of the details he has seen and all the data to which he is now privy and that has convinced him so quickly, and persuade everyone in the country, including Sinn Féin, that what the Government is doing is right?

Deputy Pat Rabbitte: I think we can agree to that. However, Sinn Féin, who moved the motion, want us to go back to the Ray Burke award. We would have to start from there.

Deputy Éamon Ó Cuív: I have no difficulty with that. I remember putting a question to one of the Minister's predecessors, the late Gerry O'Sullivan, when he was Minister of State at the Department of the Marine, because people were telling me that resources were being sold at a very cheap price. I was told the prices were not a ministerial give-away but the right terms. The Department was very defensive of the terms at that time. Fianna Fáil was not in Government at that time and I was a backbencher. I raised the issue because people had come to me to say the terms were far too favourable towards the oil companies. Since that day, this debate has rumbled on, year after year. If only to assuage public opinion, I cannot understand why the Minister could be against a committee inviting people of different views to put their case before the elected representatives of the people. Why could the Department not make its case available to a committee, as it would to a Minister? An Oireachtas committee could then make a report based on its findings and we could try to build consensus on this issue, for the good of the people.

There are very few things in life that could not, with sufficient debate, be improved for the future. For all sorts of legal and constitutional reasons, one cannot undo past terms. That would become clear in an examination. I do not want to express the views I may have formed over years of reading data. That would pre-empt the very thing I want to do, which is to start with a clean sheet and look at the issue. We must check what lessons are to be learned from history. I do not believe one can undo licences that have already been granted. Many of them are running out and no exploration is taking place. We must also see what is to be learned for any future licensing round to ensure that the State gets the best return.

There has been a debate as to whether the State should become an active player, as happened in Norway. I would be interested in hearing what the Norwegians have to say about investment in Ireland, because of the much higher risk factors involved in Irish waters. I would love to know if, given our circumstances, they would have followed the same policy as they followed in Norway, where the rate of success was much greater.

At the beginning of this new Dáil, I ask that we get out of the trenches and see if we can let Dáil committees do what we are always saying they should do, that is, carry out thorough examinations of issues.

Deputy Pat Rabbitte: If the Deputy thinks it would be helpful, I will agree. I will accept the spirit of his proposition.

Deputy Éamon Ó Cuív: I welcome that. In all my dealings with the Minister's Department, and I had many, I found it very defensive. I do not know why it was so defensive. It was very dogmatic about this issue. I would love to be so certain about everything in my life. I would love to be able to say I have something 100% right and that there is no room for debate. That dogmatism has not helped this debate. Therefore, d'iarrfainn ar an Rialtas agus ar Shinn Féin rud fíor-neamhghnách a dhéanamh sa Dáil seo. Is é sin, go mbeadh tionchar ag díospóireacht ar céard a dhéanfaimid agus go mbeadh ciall agus cúis le teacht isteach anseo agus labhairt.

I would hope that overnight, both sides, which have put very trenchant but diametrically opposed cases, would reflect on the Fianna Fáil amendment to the motion. I do not know if one could put an amendment to the Fianna Fáil amendment. I hope they would reflect and agree that the best way to progress this matter is to put it to a committee of the House so that the debate would mean something. The debate should be about putting forward ideas that can change people's minds, that can convince people. Otherwise, what happens in this House is a total charade. I have noted many times in the past years that Deputies read prepared scripts and no matter how good a case is put from the other side, nobody deflects from what he or she was told to say or what had been prepared. We all read our scripts. I have often said we might as well put them up on the Internet and stay at home.

Deputy Pat Rabbitte: The Deputy himself was fairly good at that.

Deputy Éamon Ó Cuív: If the Minister checks the record of the House, he will find that every time issues were raised with me I pursued them and I came back. On innumerable occasions in the previous Dáil at Question Time, I offered to debate with the relevant Oireachtas committee issues of major importance to do with the various Departments for which I had responsibility. The Minister's jibe might be smart — as most of his jibes are — but it is factually incorrect. The record of the House will show that I always wanted detailed debates and any Member who engaged with me in debate in committees found that if I did not have the answer to hand, I would come back. I was always in favour of more debate because I learned a lot from them. I was given a lot of new ideas and I was willing to change my mind.

Deputy Pat Rabbitte: There is a difference between obfuscation and debate.

Deputy Éamon Ó Cuív: Ba mhaith liom iarraidh ar na Teachtaí machnamh air seo thar oíche. Tá deis iontach ann toradh a bhaint as an oíche anocht a bheidh chun leasa mhuintir na hÉireann agus a dhéanfaidh cinnte go mbeidh muinín ag muintir na hÉireann ní amháin as an Rialtas ach as an Oireachtas mar áit ar féidir ábhair a scrúdú ann agus ní díreach seasamh suas ar feadh uair go leith ag léamh óráidí réamhréitithe amach. Mar sin, iarraim orthu machnamh agus glacadh leis an leasú atá leagtha síos ag Fianna Fáil.

An Leas-Cheann Comhairle: On a point of clarification before I call Deputy Finian McGrath, we are debating amendment No. 2 only. Amendment No. 1 cannot be moved until amendment No. 2 has been disposed of. This is just a technical point.

Deputy Finian McGrath: I thank the Leas-Cheann Comhairle for the opportunity to speak in the debate on this important motion on our natural resources and the urgent need to use them in the interests of the Irish people. I commend the Sinn Féin Deputies for bringing this motion before the House and I urge all Members to vote in support of it. Now is the opportunity for every Member to state where he or she stands on this crucial national issue. Even if there was not an economic crisis, all Deputies should support this motion and all parties should adopt it as a national policy for our oil and gas reserves.

[Deputy Finian McGrath.]

Before dealing with the details of the motion I wish to challenge all the previous Governments on their records as regards our oil and gas reserves. We never got to the bottom of the deals signed with oil and gas companies, particularly during the time of former Minister, Ray Burke. Were back-handers given and did the major parties receive significant donations from these companies? These are legitimate questions which should be answered immediately, and our people deserve the truth. We must get all the facts regarding these big companies. As has been the case in South America, many of them are up to their necks in dealings with right-wing paramilitaries, trying to steal the natural resources from poor people. It is not just in this country that we must be vigilant; we should also be vigilant of their actions in Africa, South America and the Middle East. Greedy oil and gas companies have many questions to answer and their political supporters, both in this country and abroad, must be exposed.

The Sinn Féin motion states:

[I]n view of the vast, untapped potential that exists off our shores in oil and gas reserves, estimated by the Department of Communications, Marine and Natural Resources in 2006 to be ten billion barrels oil equivalent, which at current prices amounts to a potential value of around €700 billion;

I ask the House to reflect on the value as stated by the Department of Communications, Marine and Natural Resources in 2006. I ask Members to imagine what we could do with such an amount of money, for instance, in the health service, in the education sector, in services for people with disabilities and for facilities in St. Vincent's hospital for those with cystic fibrosis. There has been a big delay and a big row about a project costing €20 million whereas in this motion there is mention of a potential value of €700 billion. I say to the Government to get off the stage, to listen to the facts and to look at the wording of the motion and to come up with new ideas——

Deputy Pat Rabbitte: Imagine what we could do if we could find it.

Deputy Finian McGrath: I agree. We should not simply hand it over, willy-nilly. I support the motion for a complete review of the licensing and revenue terms and the immediate revocation of consents given to the Corrib consortium and the licence for Lough Allen pending such a review. I hope the Minister, Deputy Rabbitte, takes note of this part of the motion. I also support the establishment of a State oil and gas mineral exploration company holding a 51% majority share in oil and gas finds, with its own research facility which would collect full and up to date information. This is a very sensible proposal with regard to job creation in particular.

The motion also proposes the imposition of a 50% tax on oil and gas profits and a 7.5% royalty and that the revenues accruing would provide towards the resources for long term and sustainable growth in place of the current indenture to the EU and IMF because of the unsustainable bank debt. The motion proposes we use the resources for the benefit of the majority of the people of this country. These are sensible proposals and all Members should support them.

I welcome the proposals for a State oil, gas and mineral exploration company as this would provide jobs and have the potential for raising extra taxation without damaging the economy. This and the previous Government have nationalised broken banks but we give away our natural resources that are worth billions of euro. I suggest a 50% tax on all oil and gas profits. I urge the Government and the Minister to consider this motion.

I refer to countries in South America which have used their oil and gas resources in the interests of the people. In recent years, Venezuela has pumped resources into disadvantaged

areas and ghettos and delivered medical and educational services. It has used its oil and gas revenues to help the people. We should not be afraid to look at examples of where it works and where countries have used such resources to provide for the people. However, this Government has a closed mind. It has thrown up its hands.

The Minister asks what can be done as we cannot find any oil or gas. There is a surrender mentality at work. We need new ideas. We need to go out and do the business. Nobody has referred in the debate to Rockall off the coast of Ireland. In my own constituency, the late Seán Dublin Bay Loftus campaigned about this matter for 20 years in the Dáil. There is great potential for development. The Minister should be on the international stage fighting on issues such as Rockall at the United Nations and at European Union level.

We need our oil and gas and we need new ideas for economic development. We also need common sense and we need to use the resources for our people. Deputy Ó Cuív made some valid points in his contribution with regard to the public concern that the oil companies have ripped off this country. I suggest this point should be examined by an Oireachtas committee. The Ray Burke question must also be faced up to. The public have concerns and I hear them every day. We talk about Dáil reform. I challenge the Minister to say he is open to the suggestions made by Deputy Ó Cuív. We should have a debate in committee to examine if we have given away our oil and gas reserves. It is time for a change.

Debate adjourned.

Personal Explanation by Member

An Leas-Cheann Comhairle: Deputy Eoghan Murphy has given notice in writing to the Ceann Comhairle that he wishes to make a personal explanation. The Ceann Comhairle has decided to permit a personal explanation to be made by the Deputy at this time.

Deputy Eoghan Murphy: When I was speaking during the Adjournment debate of 6 April last, I stated “it has come to my attention that the head of Marine Terminal Limited at the time the cranes were constructed is now the head of Dublin Port Company”. This, in fact, is not correct and therefore is not an accurate statement on the matter. This was my mistake and I apologise for it. I would like to thank the Ceann Comhairle and the Members of this House for facilitating me in making this correction to the record of the House.

Adjournment Debate

Decentralisation Programme

Deputy Brian Stanley: I would like to discuss the number of buildings that the State is renting or leasing as part of the decentralisation programme. This is a particular concern in Portlaoise, which is in my constituency of Laois-Offaly. Six buildings in the town are being rented or leased by the Department of Agriculture, Marine and Food as part of the decentralisation programme. Deputies will recall that the details of the programme were announced in late 2003, not long before the local elections of 2004. In October 2010, the then Government provided details of the premises being leased in Portlaoise, which were accommodating 317 departmental officials as well as staff from the Equality Tribunal. Further information was provided to the effect that the State was paying €191,000 to rent the old Eircom building at Knockmay Road, €264,640 to rent the Grattan business centre at Dublin Road opposite the prison and

[Deputy Brian Stanley.]

approximately €210,000 to rent three units at Gandon Court, Fairgreen in the town. As I understand it, some of the agreements are 20-year leases. Some of the offices are in entirely unsuitable locations, including above a chip shop, over a pub, over a supermarket, in an industrial estate warehouse and in an old Eircom building. The office above the chip shop is in several small apartments and is totally unsuitable. As there is just one toilet — either a ladies' toilet or a gents' toilet — in each of the apartments, women and men who are working beside each other have to go to the toilet in different flats. If the women do not have to go to a different apartment, the men have to do so. There has been a fragmentation in services as a result of these difficulties. The staff in Portlaoise have told me that the operation of the Department is totally chaotic.

We are all aware of the penalties being suffered by businesses as a result of the existence of upward-only rent reviews. Will the Minister of State tell the House whether the State is being affected in the same way? If so, what does he propose to do about it? Has there been any renegotiation of these substantial rents? The Government has spent €12 million under the decentralisation project on the rental of offices in Portlaoise. Have moves been made to secure permanent accommodation so that the State does not fund private landlords at the expense of the taxpayer? The funding of such people would be totally unacceptable at a time when severe cutbacks have been implemented. Will the Minister of State give a commitment to ensure none of the projects that are proposed involves the use of public private partnership? Such an approach has been shown to represent poor value for taxpayers' money. It has been shown to be one of the most expensive means of providing new public buildings in the long term. The previous Government said that a new headquarters for the Department of Agriculture, Marine and Food in Portlaoise would take two years to build. My understanding is that it was proposed to build it through the use of public private partnership. An update on what is happening with this matter is required. A site on the Mountrath Road in Portlaoise was purchased at a cost of approximately €1 million but is now lying idle — it is covered with thistles and buachaláns. Will the Minister of State update us on this important matter?

Minister of State at the Department of Finance (Deputy Brian Hayes): I thank Deputy Stanley for raising this matter. I understand his interest in it as a constituency issue and from a national perspective. Under the previous Government's decentralisation programme, it was originally intended to relocate approximately 11,000 civil and public servants in 50 different organisations to 56 locations around the country. As the Deputy is aware, that Government achieved the relocation of slightly more than 3,000 of those 11,000 officials. As he rightly pointed out, the then Minister for Finance, Charlie McCreevy, boldly set out the Government's plans in a famous Budget Statement that was made six or seven months before the famous local elections of 2004. The current Government inherited the need to resolve this legacy. Decentralisation is logical if there is a sensible business plan and it is in the interests of those who provide and avail of the service in question. This issue of the legacy I mentioned has to be resolved.

The original decentralisation programme was a major undertaking, by any standards. The Office of Public Works was tasked with completing the property aspects of the programme. This involved a combination of various initiatives including the acquisition of development sites, the design and tendering of building projects, the construction of buildings, the leasing and fitting out of offices and the purchase of existing buildings. Sites were earmarked or acquired in 26 locations. Sites owned by the OPW were selected in five of these locations — Athlone, the Curragh, na Forbacha, Sligo and Monaghan. At a further 11 locations — Carlow, Killarney,

Longford, Newcastle West, Thurles, Trim, Drogheda, Portlaoise, Newbridge, Wexford and Waterford — sites were acquired from the relevant local authority or State agency. Ten privately owned sites were purchased, at Buncrana, Cavan, Claremorris, Clonakilty, Dungarvan, Edenderry, Mullingar, Roscommon, Tipperary, and Thomastown. The OPW purchased an office block for 130 staff in Tullamore. The block is now occupied by the Department of Finance.

New buildings were constructed in 12 locations — Longford, Sligo, na Forbacha, Athlone, Killarney, Trim, Wexford, Newbridge, Newcastle West, Clonakilty, Buncrana and Roscommon. In eight locations — Ballina, Carrick-on-Shannon, Kilrush, Listowel, Loughrea, Navan, Limerick and Cork — long-term leases were taken out. The annual rent on these permanent leases is approximately €3.6 million. Short-term advance accommodation was provided in 11 locations — Athy, Carlow, Cavan, Claremorris, Dundalk, Tubbercurry, Portarlinton, Portlaoise, Roscrea, Thurles and Tipperary — to facilitate Departments with pressing accommodation needs in advance of the provision of permanent offices. The annual rent for these short-term leases is approximately €2.6 million. In direct response to Deputy Stanley's question, I reiterate that the annual cost of the short-term leases is approximately €2.6 million and the annual cost of the long-term leases is approximately €3.6 million.

In general, the cost of the decentralisation programme to date has been more than offset by the disposal of properties. The proceeds amount to €374 million and the costs have been €352 million. We have spent €352 million, but we have obtained €374 million from the sale or disposal of properties. In the round, the State has not lost. As the Deputy pointed out, this is obviously a complicated process. It is a matter for the new Government to determine whether the previous Government's announcement, which paused the decentralisation programme, in effect, is to be reinitiated. I do not want to pre-empt that decision. It is clear there is a cost issue in this regard. At a time when the State is seeking funds, expending further funds in this area is obviously problematic, as Deputy Stanley will be aware. I have taken a detailed note of the points the Deputy made regarding his local area and will relay them to the Office of Public Works as well as the lead Departments as they effectively contract the OPW for the purpose of acquiring sites.

Company Takeovers

Deputy Brendan Smith: The need to protect employment in the Quinn Group is of the utmost importance to counties Cavan, Monaghan, Fermanagh and Leitrim. Not alone does the group contribute significantly to the economy of my home region, but it is also a major contributor to the national economy employing 5,500 people on the island, of whom almost 1,600 are employed in Quinn Insurance alone. The group's other interests consist of a range of manufacturing plants and operations in the hospitality and hotel sector. It is widely recognised as an extremely efficient and well managed group with an extremely hardworking and committed workforce.

Sean Quinn and his family built up the Quinn Group through hard work, commitment, great foresight and an ability to diversify the group's activities. Not only does the Quinn Group provide highly valuable employment, but it has also brought much needed competition to different sectors, specifically insurance to the benefit of policyholders.

Since the appointment of joint administrators to Quinn Insurance last Easter, Oireachtas Members from the region, as well as Members of the Legislative Assembly from Fermanagh-South Tyrone, have worked together on the issue. The protection of employment and maintenance of the maximum number of jobs in all the Quinn Group enterprises have been our focus

[Deputy Brendan Smith.]

and particular interest. Last Thursday's announcement of the appointment of a share receiver over the Quinn family shares in the Quinn Group was a devastating blow for Sean Quinn and his family.

Quinn Group senior management worked for almost one year on a proposal which would enable the family, over a period of six to seven years, to pay back all their loan commitments with a debt recovery plan. They remain convinced of the viability of their proposal. Was this proposal, which was finalised relatively recently, given detailed analysis and consideration by the Minister for Finance, his departmental officials and all relevant State agencies? The least the proposal deserved was detailed and appropriate analysis and dialogue between the relevant Departments and State agencies and the Quinn Group senior management. The Quinn family and Quinn Group have always indicated their determination and commitment to repay their debts.

Deputy Heather Humphreys: It is unfortunate that an issue such as this brings me to my feet for the first time in the House. I will address the issue of my election by the people of counties Cavan and Monaghan and pay tribute to my predecessor, the former Deputy Seymour Crawford, at a later stage. I will use the limited time afforded to me this evening to highlight the importance of protecting jobs at Quinn Direct and the Quinn Group.

As somebody who worked in Ballyconnell for eight years, I fully understand and appreciate the huge contribution made by Sean Quinn not only to the Cavan area, but to the entire Border region. Sean Quinn and others made the Border region not just a geographic entity, but also an economic reality. In doing so, they afforded people the opportunity to work and live in their own community.

Sean Quinn readily admits that he made mistakes and is now facing the consequences of those mistakes. However, it is only appropriate to outline the legacy of real and lasting employment that he brought to our region. This is an achievement that should not be forgotten.

A cross-party Oireachtas group met with Sean Quinn last Friday. It was clear to those attending that despite his personal financial problems, Sean Quinn's primary concern was the continued employment of his staff. As a Deputy for Cavan-Monaghan, this is also my primary concern and priority. I cannot emphasise enough the critical importance to the local economy of maintaining jobs in Quinn Direct and the wider Quinn Group. The fears of Quinn Group workers must be understood and taken into account by the new management structure. It is imperative that the existing business model, which has served the company well, is maintained.

With regard to the debt restructuring plan agreed in principle between Anglo Irish Bank and the Quinn Group lenders, it is my hope that this structure will enable the good businesses of the Quinn Group to continue to flourish. The businesses in question and their employees have faced a long period of ambiguity. That a level of certainty has now been brought to this matter must be welcomed.

I welcome, too, the fact that an insurance company of such standing as Liberty Mutual is seeking to invest in Ireland via Quinn Insurance. The single most important outcome of this deal is that almost all 1,500 jobs in Quinn Direct will be retained. I urge the Minister to continue to monitor the matter closely to ensure the retention and security of jobs in the group.

Deputy Joe O'Reilly: It is paramount that jobs at Quinn Direct and in the Quinn Group are maintained at their current locations. These jobs have transformed the region in question. I ask the Minister for his considered assessment of the commitments and guarantees he has

received from the proposed purchasers and an assurance that he will monitor the position and act as a guarantor on commitments given.

Sean Quinn, his family and the Quinn Group chief executives have transformed County Cavan and the wider region and are owed a great debt. I ask the Minister to make a statement of recognition of their contribution and give a commitment that, in the resolution of this matter and in future, the enormous commitment by Sean Quinn, his family, senior staff and workforce will be recognised.

Our area was stricken by emigration, ravaged by the effects of the conflict in Northern Ireland and in economic paralysis until the Quinn enterprises began. The Quinn businesses transformed the position, putting houses where there were none, helping families into education locally and creating vibrant communities. I ask the Minister to give an assurance that nothing will change in this respect because there is no going back for our community.

Deputy Frank Feighan: I acknowledge the work Sean Quinn has done in an area where jobs would not otherwise be available. Sean Quinn took on cartels in glass, cement and insurance and delivered jobs in an area with little employment. He did his work better than most financial institutions do theirs.

Last Thursday, it was decided that Liberty Mutual would take over Quinn Insurance. An interesting, cross-Border, cross-party group has worked for the past year to ensure jobs in the Quinn Group will be protected. Deputies from the region want to the promise to protect jobs to be kept. I ask the Minister to be vigilant in this regard and do everything possible to ensure jobs in the Quinn Group, whether in insurance or manufacturing, are protected.

Deputy Seán Conlan: The cross-party group to which Deputy Feighan referred met last Friday morning in Monaghan. The main topic was the retention of all Quinn Group jobs in the region. This has been our primary concern throughout. I admire the contribution of Sean Quinn in developing the Border region over many years. Without him, it would be a different place. He created jobs where there were none and developed industries in an area that had been devoid of industry for many years.

Our main concern is to retain jobs in the Quinn Group in the Cavan and Fermanagh areas. I ask the Minister for an assurance that all vigilance will apply to ensure these jobs are maintained. Tomorrow's meeting between the Minister and cross-party group is welcome. I wish to tease out further the assurances given by Liberty Mutual on these matters.

Deputy Caoimhghín Ó Caoláin: I thank the Chair for allowing me to join colleagues from my constituency of Cavan-Monaghan and across the region in contributing on this issue. I concur with the voices which have already recorded the fact that we have worked in unison for a full 12 months in support of the retention of all jobs in Quinn Insurance Limited where they are currently located, critically focused on Cavan, Enniskillen, Blanchardstown and other locations where the company has established operations.

Our concerns in regard to Quinn Insurance have been compounded by the decision of Anglo Irish Bank to take into its control the Quinn family shares over the wider Quinn manufacturing entities. We are no longer only concerned in regard to the jobs within Quinn Insurance but across the Quinn group, which is a multiple in real terms of the people directly employed and the wider community dependent on those incomes. We need an absolute assurance concerning all the existing jobs, where they are currently located, in order to sustain our local and regional economies.

[Deputy Caoimhghín Ó Caoláin.]

Our purpose tomorrow in meeting the Minister, Deputy Michael Noonan, is to secure clarity on whatever guarantees he has received in regard to the preferred bidder and the further steps that have been taken by Anglo Irish Bank. There are still real concerns which we must address. I look forward to continuing to work with my colleague Deputies of all parties in support of the retention of the jobs created by the Quinn family over many years where they are currently located within our respective counties.

Minister of State at the Department of Enterprise, Trade and Innovation (Deputy John Perry): I thank the Deputies for raising this matter. On 14 April last, Anglo Irish Bank announced the appointment of a share receiver to take control of the Quinn family equity interest in Quinn Group (ROI), the ultimate parent company of the Quinn Group. The receiver holds these shares on behalf of Anglo Irish Bank.

It should be noted that a share receiver is fundamentally different from a company receiver and will not involve the sale of businesses or assets. However, this appointment has allowed Anglo, together with the senior creditors, to restructure the boards of the companies concerned and to remove Quinn family members and their associates from key board and management positions. This decision by Anglo to appoint a share receiver is very much a commercial one. In this context, it should be noted that under the relationship framework put in place under the Anglo Irish Bank Corporation Act 2009, which governs the relationship between the bank and its shareholder, the State, issues relating to the commercial activities at the bank are a matter for the board. In this regard, it is important to state the Minister for Finance has no role in day-to-day management decisions.

In order to stabilise the businesses, a five year debt restructuring plan has been agreed in principle between Anglo Irish Bank and the group's lenders. This structure will be designed to enable the businesses, which are fundamentally good and profitable businesses, to trade, develop and grow in a meaningful manner. I have been informed that the decision to appoint a share receiver will have no significant impact on jobs in the wider Quinn Group. It is in the interest of the bank that the businesses in the group are well invested and have the capacity to develop and produce profits into the future. The approach taken protects the businesses concerned and puts them on a sound financial footing. They will be run by the directors on a business as usual basis, which paves the way for maximising the repayment of debt to the taxpayer.

In regard to Quinn Insurance, as the Deputies will recall, the decision to appoint the joint administrators, pursuant to the Insurance Act 1983, to take over the management of Quinn Insurance Limited was taken in the best interests of the firm's policyholders. The aim of the appointment of the joint administrators was to allow the firm to remain open for business and to continue to be run as a going concern, with a view to placing it on an ongoing sound commercial and financial footing. From the outset, the joint administrators have concentrated on fulfilling this agenda and one of their main aims was to ensure that the value of the business was maintained in order to make it as attractive as possible to potential buyers. A key factor here was the re-opening of the profitable parts of the UK business.

On 3 June 2010, at the request of the joint administrators, advisers were appointed by the High Court to advise on any sale of Quinn Insurance Limited. The Deputies will appreciate that the responsibility for the sales process is a matter for the joint administrators who were appointed by the High Court. Therefore, the Government is constrained from interfering in the matter. The joint administrators have now considered the final bids and have selected the

preferred bidder, Liberty Mutual-Anglo Irish Bank, which they believe best meets the objectives of their appointment.

This is a solution that puts the business back on a sound commercial and financial footing while at the same time protecting the interests of policyholders. Another factor in their decision to opt for the Liberty-Anglo proposal is the fact that virtually all of the jobs are protected aside from the closure of the Manchester office, which involves approximately 24 redundancies. The sale is, of course, subject to regulatory approval and the completion of contract details.

Liberty Mutual, it should be noted, is the fifth largest property and casualty insurer in the US and is a very well respected company. Liberty will own 51% of the joint venture and will operate the insurance company, while Anglo Irish Bank will own 49% and will have no involvement in the business. As Deputies will appreciate, the financial details remain confidential and are subject to the completion of legal and other arrangements being finalised. The administrators have indicated that discussions are taking place with a view to finalising the details of the deal within the next four to six weeks, with completion expected to take place at least 12 to 14 weeks thereafter, subject to certain conditions. Until the deal is finalised, no further details of the transaction will be made available.

Last year, in response to the developments in Quinn Insurance and its impact on employees' jobs, an inter-agency team was established comprising Enterprise Ireland, FÁS, IDA Ireland, the relevant county enterprise boards and the Department of Social Protection. The group meets under the chairmanship of Mr. Dan Flinter. The first meeting of the inter-agency team was held in Cavan on 30 April last year and to date 13 meetings of the group have taken place. An active ongoing dialogue with the employee representative group has been a feature of the process, and I compliment the Deputies on their cross-party support of this important group.

The primary focus of the inter-agency team was to support the affected employees, who were facing redundancy, to explore their options regarding employment and self-employment through setting up a new business and skills development, and to outline the supports available to them. Dedicated information centres staffed by the agencies were established on-site in Cavan, Navan and Blanchardstown to support the affected workers. Briefings and information sessions for the employees concerned were delivered at all three sites by Enterprise Ireland, FÁS, the county enterprise boards, the Department of Social Protection and other agencies, education providers and financial institutions as required. The inter-agency team has been an effective solution to co-ordinate the activities of the relevant Departments, State development agencies and county enterprise boards in order to drive employment opportunities for the people concerned.

The announcements on 14 April concerning the appointment of a share receiver and the naming of a preferred bidder for Quinn Insurance are significant developments. The financial restructuring of the Quinn Group, which has been agreed in principle between Anglo Irish Bank and the group's lenders, will enable the good and strong businesses to continue to trade and to grow. It is particularly important that there will be no impact on employment or on trade creditors from the restructuring. While the commercial sale process in regard to Quinn Insurance is ongoing and subject to regulatory approval, I very much welcome the positives of the proposed agreement in that almost all the jobs in Quinn Insurance will be retained. This is good news not just for the employees, but also for the local economy in the Border region where Quinn companies are based.

I thank the Deputies for raising this very important issue. I acknowledge the recognition for Sean Quinn and his family, who leave an extraordinary legacy. For a businessperson such as myself, it is most important that the jobs are secured. While these are difficult times, when one

9 o'clock

[Deputy John Perry.]

considers the potential in the Border region and the multifaceted nature of the Quinn family's operations, it is important to indicate that no jobs will be lost. I give great recognition to the Quinn workforce, who built up very successful and profitable companies. I am certain that, with the skill of management and the expertise of the staff still working in the Quinn Group, these companies will be very profitable in the future.

Building Regulations

Deputy Brendan Ryan: I thank the Ceann Comhairle for allowing me to raise this important matter on the Adjournment and the Minister of State, Deputy Willie Penrose, for taking the time to respond.

The full extent of the pyrite problem is not yet known, with new instances being discovered in housing estates throughout Ireland on a weekly basis. Regrettably, it is a problem in several estates in my constituency of Dublin North where I am working with residents to address this difficult issue. As there are other instances in counties Offaly and Meath, I am not simply raising a parochial matter. This is a national issue

For those unaware of the details, pyrite is a common mineral, traces of which may be found in the rock used to make crushed stone for under-floor filling in the construction of homes and other buildings. In the presence of humidity and oxygen, pyrite can form a chemical reaction which leads to swelling within the backfill, resulting in structural damage to the home. There are serious implications for homeowners coping with pyrite. Many feel unsafe in their homes, with huge cracks appearing in walls, above doorframes and in floors. Doors may jam against deformed floors.

There is a growing stigma attached to this issue, with affected home owners worried that, even if all structural problems are remedied, it will be difficult ever to sell their homes. The phenomenon has raised anxiety, bordering on understandable panic, among home owners in affected areas. Not only must they deal with negative equity caused by the reckless property policies of previous Governments, there is also the additional worry of further depreciation in the value of their homes due to the poor building practices of developers. It is a double whammy of anxiety and pain for many.

Ultimately, the developers of these housing estates are responsible for finding a solution to the problem. Where are these developers? Some are still operating but many are under the control of the National Asset Management Agency, while others have gone into receivership. The onus then falls on bodies such as HomeBond to meet the costs of rectifying the problem, although this can bring its own disappointment for home owners. Prior to 2004 HomeBond contracts offered a guarantee allowing for a maximum payout of €38,000 per house. However, there was a cap of €508,000 per developer and a particular developer may have more than one development affected. This €508,000 cap must be spread across the number of houses affected, diluting the maximum figure of €38,000 per household. The effect of this dilution in an estate in my constituency resulted in each household receiving an offer of only €1,300. With the average cost of reinstatement after pyrite damage anywhere between €40,000 and €70,000, it is clear the pre-2004 guarantees will not solve the problem for homeowners. Increases in the amounts payable under HomeBond contracts were introduced in 2004, with ceilings set at €200,000 per house and €2 million per developer. Despite this, householders are finding it a long, anxious and difficult process to secure redress.

The Department of the Environment, Heritage and Local Government must provide leadership on this matter. This is not the first country to experience this problem. For example,

Canada faced a similar problem in the 1990s which it tackled through state leadership. I urge the Minister of State to establish a task force, to report within a short timeframe, with a brief to examine fully all aspects of the pyrite problem which has affected so many homes throughout the country. The task force should comprise the various stakeholders, led by the Department and including developers, HomeBond, local authorities and affected homeowners. We must get ahead of this issue and provide leadership for those affected. Most importantly, we must find solutions.

One avenue to explore is the talent pool of redundant construction workers crying out for work. We have tools at our disposal which we need to utilise. Individual households are attempting to tackle the issue independently or through *ad hoc* residents groups. We cannot continue to let people suffer in this way on their own. The campaigns being fought individually by many households and through residents action committees must be acknowledged. The people concerned need the Government to show leadership in resolving the issue. As a first step, there must be a full understanding of the extent of the problem. The proposal I have made will contribute to this and can be done at zero or minuscule cost. I urge the Minister of State to take it on board.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): I thank the Deputy for raising this important matter and giving us the benefit of his expertise in these matters. I am aware of the difficulties experienced by the many home owners affected by the pyrite problem I acknowledge the distress it has caused. The issue was first brought to the attention of my Department in mid-2007. Having consulted the Building Regulations Advisory Body, my Department immediately set about taking appropriate action to address the problem. Each county manager and local building control authority was advised on the matter on 16 August 2007 and their co-operation sought in the enforcement of relevant requirements.

Following an intervention by the Department, the National Standards Authority of Ireland, NSAI, published an amended standard recommendation on the use of aggregates as infill for civil engineering and road construction work. The new standard recommendation came into effect on 7 December 2007 and is intended to address the quality standards of new homes and buildings in so far as problems relating to pyrite are concerned. The relevant technical guidance document on the building regulations dealing with site preparation was amended to incorporate the revised NSAI standard recommendation. The building regulations set out the legal requirements for the construction of new buildings, including houses, while the technical guidance documents provide guidance on how to comply with these regulations.

The Department notified local authorities, the Construction Industry Federation, the Irish Home Builders Association and other key stakeholders of the provisions of the amended technical guidance document. In addition, I understand HomeBond, a private company which provides a ten-year structural guarantee for new houses, has included the amended NSAI standard recommendation in the sixth edition of its house-building manual.

The remediation of homes affected by pyrite is a matter for the parties concerned, namely, the building owner, the relevant developer and the builder's insurers. It is essentially a civil matter. I understand that, following lengthy court proceedings in regard to homes affected by pyrite in north Dublin, a final settlement was reached and a trust fund established. Consumer protection in the area of quality construction of new dwellings is a critical issue and I have asked my Department to prioritise the formulation of policy proposals that will enhance compliance with and enforcement of the building regulations generally.

[Deputy Willie Penrose.]

My Department acted promptly when this issue was brought to its attention to inform all key stakeholders and ensure the introduction of revised technical standards to address the issue of pyrite in new construction. I consider these are relevant responses in the light of the Department's responsibilities. The establishment of a task force, as proposed by the Deputy, is not warranted at this point. However, I note the points made by him, particularly in regard to the problem in Canada, which I undertake to examine.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 20 April 2011.

Written Answers

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

Questions Nos. 1 to 17, inclusive, answered orally.

Questions Nos. 18 to 37, inclusive, resubmitted.

Questions Nos. 38 to 46, inclusive, answered orally.

Defence Forces Personnel

47. **Deputy Robert Troy** asked the Minister for Defence if he is still committed to ensuring that at least 10% of the Defence Forces will be women as set out in Fine Gael's election manifesto; and if he will make a statement on the matter. [8385/11]

Minister for Defence (Deputy Alan Shatter): The Government is committed to a policy of equal opportunity for men and women throughout the Defence Forces and to the full participation by women in all aspects of Defence Forces activities. Unlike many other national armed forces, the Defence Forces have no restrictions as regards the assignment of men or women to the full range of operational and administrative duties. All promotions and career courses are open to both genders on merit. The Defence Forces prides itself on providing a gender neutral working environment. Policies on equality are being constantly communicated to all ranks. The military authorities are alert and vigilant to this issue and are committed to addressing this matter in a continuing and proactive manner.

The number of female personnel serving in the Permanent Defence Force on 31 March 2011, the last date for which figures are available, was 572, of which 472 were serving in the Army, 32 in the Air Corps and 68 in the Naval Service. In terms of ranks the breakdown of female personnel serving on 31 March 2011 was 149 Officers, 168 Non Commissioned Officers and 255 Privates. The percentage of female personnel serving on 31 March was 5.90% of the overall strength of the Force on that date. I have asked my officials in consultation with the Military authorities, to consider what other initiatives might be further considered to support an increase in the number of female personnel serving in the Permanent Defence Force.

Public Sector Staff

48. **Deputy Thomas P. Broughan** asked the Taoiseach the size and relative percentage of the

[Deputy Thomas P. Broughan.]

workplace represented by public sector jobs here from 2001 to 2011; the way this compares with the similar figures for our 26 EU partner nations throughout the same decade; and if he will make a statement on the matter. [8226/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The Earnings, Hours and Employment Costs Survey (EHECS) is the official source of estimates of the number of employees in the public sector. Prior to the introduction of EHECS to all sectors of the economy in 2008 employment estimates were produced from a separate quarterly public sector survey. The data from these two sources differed slightly in coverage but they have been combined to estimate a comparable employment series from Q4 2001 up to Q4 2010, the latest period for which estimates are available. These estimates are presented in table 1 below.

Also presented are the estimated total number of employees in the state from the Quarterly National Household Survey. These estimates have been derived excluding commercial semi-state employment so as to be as close as possible to the definition of the ‘General Government Sector’ as utilised in the compilation of the National Accounts although minor differences in coverage may still exist.

Comparable estimates are not available for other EU member states as EU data collection in relation to employment is based on the NACE classification which classifies employment according to the field of activity of the employer rather than whether the employer is in the public or private sector. It is not possible to clearly identify overall public sector employment through the NACE classification as it is spread across a number of areas of economic activity. In relation to the National Accounts while information on the overall compensation of employees in the General Government Sector is collected, at this point in time Eurostat does not collect and compile comparable statistics on the overall level of employment in the General Government Sector for EU member states.

The International Labour Organisation (ILO) undertakes a periodic data collection exercise regarding the level of Public sector employment in different countries. However estimates are not submitted by all countries and comparability of those estimates submitted to the ILO cannot be guaranteed.

Table 1

Public Sector Employment Q4 2001-Q4 2010

	Q4 2001	Q4 2002	Q4 2003	Q4 2004	Q4 2005	Q4 2006	Q4 2007	Q4 2008	Q4 2009	Q4 2010
Total public sector (excluding commercial semi state)	309,000	324,300	327,800	335,700	341,800	354,400	367,500	381,900	364,000	361,400
Total employees (QNHS)	1,442,100	1,463,700	1,501,600	1,570,000	1,675,400	1,737,300	1,761,100	1,679,000	1,550,700	1,516,000
Percentage Public Secto	21%	22%	22%	21%	20%	20%	21%	23%	23%	24%

Source CSO

49. **Deputy Thomas P. Broughan** asked the Taoiseach the total cost and the cost relative to GDP and GNP of the public sector workforce in the period 2001 to 2011; the way these indices compare with the similar figures for our 26 EU partner nations throughout the same decade; and if he will make a statement on the matter. [8227/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The information requested by the Deputy is contained in the tables below. The definition of public sector used is the “General Government Sector” as defined internationally for the compilation of National Accounts. The definition excludes commercial semi state bodies. The figures relate to wages and salaries, including employers’ contributions to pension and social security funds. The most recent year for which internationally comparable annual data are available on the Eurostat website is 2009. The most up to date information for Ireland, including data for 2010, have been incorporated in the tables.

Internationally comparable data for GNP are not available. However, Table 3 presents data for GNI (Gross National Income). This is equivalent to GNP plus EU subsidies minus EU taxes.

Table 1: Compensation of Employees (€m) in the General Government Sector: EU Member States and EU, 2000 to 2010*

Country/Year	2010*	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
European Union (27 countries)		1,323,424	1,312,652	1,285,378	1,241,075	1,192,914	1,141,543	1,093,512	1,061,019	1,008,971	966,598
Belgium		43,288	41,635	39,324	37,859	36,422	34,661	33,833	32,532	30,326	29,039
Bulgaria		3,286	3,254	2,722	2,318	2,420	2,046	1,864	1,604	1,351	1,436
Czech Republic		11,109	11,210	9,673	8,906	7,989	6,966	6,725	6,219	5,076	4,346
Denmark		43,280	40,140	38,147	37,283	35,884	35,116	33,977	32,818	31,248	29,690
Germany		177,640	170,720	168,310	168,270	168,900	169,590	169,240	168,680	166,220	166,110
Estonia		1,773	1,830	1,527	1,242	1,104	985	889	798	710	665
Ireland	18,140	19,572	20,309	19,008	17,353	15,721	13,671	12,560	11,273	9,819	8,361
Greece		31,762	28,761	26,430	24,324	22,384	21,345	18,641	17,308	15,180	14,445
Spain		125,164	118,387	107,835	98,261	91,011	84,595	78,691	72,889	68,728	64,728
France		254,326	247,268	241,736	234,489	228,208	220,725	215,626	208,484	199,206	192,305
Italy		171,578	169,813	163,989	163,220	156,542	149,866	144,749	137,621	131,647	124,306
Cyprus		2,644	2,427	2,269	2,164	2,011	1,885	1,828	1,539	1,428	1,363
Latvia		2,242	2,770	2,248	1,612	1,308	1,174	1,069	1,039	954	917
Lithuania		3,411	3,475	2,834	2,504	2,153	1,968	1,787	1,711	1,590	1,502
Luxembourg		3,031	2,805	2,653	2,508	2,379	2,224	2,075	1,939	1,785	1,661
Hungary		10,499	12,258	11,621	10,933	11,178	10,382	9,807	8,634	6,586	5,442
Malta		831	832	707	678	667	661	652	649	640	547
Netherlands		57,130	54,575	52,273	50,216	49,543	48,909	48,040	45,599	42,820	39,647
Austria		27,174	25,970	24,783	23,999	22,884	21,912	21,559	21,041	20,954	22,866
Poland		31,788	36,246	29,909	26,712	24,563	20,547	20,461	22,543	22,681	18,738
Portugal		20,707	20,300	20,271	20,812	21,312	20,125	19,360	19,737	18,449	17,281
Romania		12,558	14,295	11,720	9,059	6,978	4,968	4,297	4,139	3,764	3,203
Slovenia		4,399	4,112	3,641	3,481	3,306	3,146	3,016	2,841	2,680	2,423
Slovakia		4,948	4,481	3,730	3,284	2,803	2,739	2,612	2,373	2,092	1,942
Finland		25,429	24,676	23,239	22,350	21,671	20,731	19,915	19,070	18,075	17,278
Sweden		44,591	49,162	50,372	48,176	46,493	46,130	44,689	41,916	39,454	40,873
United Kingdom		189,264	200,944	224,408	219,065	207,081	194,476	175,549	176,025	165,509	155,485

*Annual data for other EU Member States not available for 2010.

Source: Central Statistics Office and Estat.

Table 2: Compensation of Employees in General Government Sector as a Percentage of GDP: EU Member States, 2000 to 2010*

Country/Year	2010*	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
European Union (27 Countries)		11.2	10.5	10.4	10.6	10.8	10.8	10.8	10.7	10.5	10.5
Belgium		12.8	12.1	11.7	11.9	12.0	11.9	12.3	12.1	11.7	11.5
Bulgaria		9.4	9.2	8.8	8.8	10.4	10.0	10.1	9.4	8.7	10.2
Czech Republic		8.1	7.6	7.6	7.8	8.0	7.9	8.3	7.8	7.4	7.1
Denmark		19.5	17.2	16.8	17.0	17.3	17.8	18.0	17.8	17.4	17.1
Germany		7.4	6.9	6.9	7.2	7.5	7.7	7.8	7.9	7.9	8.1
Estonia		12.8	11.4	9.6	9.3	9.9	10.2	10.2	10.3	10.2	10.8
Ireland	11.8	12.3	11.3	10.0	9.8	9.7	9.2	9.0	8.6	8.4	8.0
Greece		13.5	12.1	11.6	11.5	11.5	11.5	10.8	11.1	10.4	10.5
Spain		11.9	10.9	10.2	10.0	10.0	10.1	10.1	10.0	10.1	10.3
France		13.3	12.7	12.8	13.0	13.2	13.3	13.5	13.5	13.3	13.3
Italy		11.3	10.8	10.6	11.0	11.0	10.8	10.8	10.6	10.5	10.4
Cyprus		15.6	14.0	14.2	14.7	14.7	14.8	15.5	13.8	13.2	13.5
Latvia		12.1	12.0	10.6	10.0	10.0	10.5	10.7	10.5	10.2	10.8
Lithuania		12.9	10.8	9.9	10.4	10.3	10.8	10.8	11.4	11.7	12.1
Luxembourg		8.0	7.1	7.1	7.4	7.9	8.1	8.0	8.1	7.9	7.5
Hungary		11.3	11.5	11.5	12.2	12.6	12.5	13.2	12.2	11.0	10.6
Malta		14.2	14.1	12.9	13.4	13.9	14.7	14.7	14.5	14.9	13.0
Netherlands		10.0	9.2	9.1	9.3	9.6	10.0	10.1	9.8	9.6	9.5
Austria		9.9	9.2	9.1	9.3	9.4	9.4	9.7	9.6	9.9	11.0
Poland		10.2	10.0	9.6	9.8	10.0	10.1	10.7	10.8	10.7	10.1
Portugal		12.3	11.8	12.0	13.0	13.9	13.5	13.5	14.1	13.8	13.6
Romania		10.7	10.2	9.4	9.3	8.7	8.1	8.2	8.5	8.3	7.9
Slovenia		12.4	11.0	10.5	11.2	11.5	11.6	11.7	11.6	11.8	11.3
Slovakia		7.8	6.9	6.8	7.4	7.3	8.1	8.9	9.1	8.9	8.8
Finland		14.9	13.4	12.9	13.5	13.8	13.6	13.7	13.3	13.0	13.1
Sweden		15.3	14.8	14.9	15.1	15.6	15.8	16.0	15.7	15.5	15.2
United Kingdom		12.1	11.1	10.9	11.2	11.3	11.0	10.7	10.3	10.1	9.7

*Annual data for other EU Member States not available for 2010.

Source: Central Statistics Office and Estat.

Table 3: Compensation of Employees in General Government Sector as a Percentage of GNI: EU Member States, 2000 to 2010*

Country/Year	2010*	2009	2008	2007	2006	2005	2004	2003	2002	2001	2000
European Union (27 Countries)		11.3	10.5	10.4	10.6	10.8	10.7	10.8	10.7	10.6	10.5
Belgium		12.6	11.9	11.6	11.8	11.9	11.8	12.1	12.0	11.5	11.3
Bulgaria		9.9	9.7	9.5	9.4	11.0	10.2	10.3	9.4	9.1	10.7
Czech Republic		8.6	7.9	8.2	8.2	8.3	8.4	8.7	8.1	7.6	7.2
Denmark		19.1	17.0	16.6	16.7	17.1	17.7	18.1	18.0	17.7	17.5
Germany		7.3	6.8	6.8	7.1	7.4	7.6	7.9	8.0	7.9	8.1
Estonia		13.1	12.0	10.4	9.8	10.3	10.7	10.8	10.7	10.6	11.2
Ireland	14.4	14.8	13.0	11.6	11.2	11.2	10.7	10.5	10.4	9.9	9.2
Greece		13.9	12.5	12.0	11.8	11.7	11.6	10.9	11.0	10.3	10.4
Spain		12.2	11.2	10.5	10.2	10.2	10.2	10.2	10.1	10.3	10.4
France		13.2	12.6	12.6	12.9	13.1	13.2	13.4	13.4	13.1	13.2
Italy		11.5	11.0	10.7	11.0	11.0	10.8	10.9	10.7	10.6	10.5
Cyprus		15.9	15.0	15.1	15.5	15.4	15.5	15.9	14.2	14.0	14.5
Latvia		11.2	12.1	11.0	10.4	10.2	10.7	10.8	10.4	10.2	10.8
Lithuania		12.6	11.1	10.3	10.7	10.5	11.1	11.1	11.5	11.9	12.4
Luxembourg		11.3	9.4	8.8	9.7	9.1	9.3	10.4	9.7	8.9	8.7
Hungary		11.9	12.3	12.4	12.9	13.3	13.2	13.8	12.8	11.6	11.1
Malta		15.3	14.7	13.5	13.9	14.5	14.9	14.8	14.4	14.7	13.3
Netherlands		10.3	9.3	9.0	9.1	9.6	9.7	10.0	9.7	9.5	9.3
Austria		10.0	9.3	9.2	9.4	9.5	9.5	9.7	9.7	10.1	11.2
Poland		10.6	10.2	10.0	10.1	10.2	10.3	10.8	10.8	10.7	10.1
Portugal		12.8	12.2	12.4	13.4	14.1	13.7	13.7	14.3	14.1	13.9
Romania		10.8	10.5	9.7	9.6	9.0	8.5	8.4	8.6	8.4	7.9
Slovenia		12.7	11.3	10.8	11.3	11.6	11.7	11.8	11.6	11.8	11.3
Slovakia		8.0	7.1	7.0	7.6	7.5	8.4	9.3	9.2	8.9	8.9
Finland		14.6	13.3	12.9	13.4	13.7	13.5	13.8	13.3	13.0	13.2
Sweden		15.1	14.2	14.6	14.9	15.5	15.8	15.8	15.8	15.7	15.4
United Kingdom		11.9	10.9	10.8	11.2	11.1	10.8	10.5	10.1	10.0	9.7

*Annual data for other EU Member States not available for 2010.

Source: Central Statistics Office and Estat.

National Statistics

50. **Deputy Brian Stanley** asked the Taoiseach the percentage distribution of those aged 65 years and over, in the CSO EU SILC equivalised income deciles for each of the years 2005, 2006, 2007, 2008 and 2009. [8539/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The table below shows the percentage distribution of persons aged 65 years or over across the published SILC net disposable equivalised income deciles.

Table 1: Percentage distribution of those aged 65 years and over by net disposable equivalised income deciles by year

Distribution across deciles	%	%	%	%	%	%	%	%	%	%	
Age group 65+											
Decile	1	2	3	4	5	6	7	8	9	10	State
Weekly threshold (€)	<209.91	<255.28	<289.58	<335.49	<385.33	<443.96	<509.04	<595.82	<740.49	>740.49	
2009	8.01	8.78	22.75	15.7	8.76	10.29	8.39	5.27	5.14	6.9	100
Decile	1	2	3	4	5	6	7	8	9	10	State
Weekly threshold (€)	<212.67	<256.19	<296.49	<341.17	<397.82	<450.92	<524.45	<612.25	<769.99	>769.99	
2008	7.29	11.77	27.08	14.47	7.74	7.12	7.57	6.16	5.19	5.62	100
Decile	1	2	3	4	5	6	7	8	9	10	State
Weekly threshold (€)	<198.09	<240.69	<278.48	<321.19	<379.33	<440.32	<516.69	<606.31	<772.94	>772.94	
2007	6.47	19.98	23.29	10.41	8.49	8.01	9.34	5.97	4.72	3.33	100
Decile	1	2	3	4	5	6	7	8	9	10	State
Weekly threshold (€)	<174.32	<212.73	<248.19	<291.10	<337.48	<389.60	<448.30	<536.77	<683.45	>683.45	
2006	5.1	17.1	27.1	13.5	8.0	7.0	7.8	5.9	4.9	3.7	100
Decile	1	2	3	4	5	6	7	8	9	10	State
Weekly threshold (€)	<156.90	<197.48	<231.55	<275.75	<319.98	<372.68	<425.13	<493.51	<623.27	>623.27	
2005	6.61	17.44	28.4	12.93	7.52	7.82	6.19	5.12	4.3	3.67	100

Census 2011

51. **Deputy Thomas P. Broughan** asked the Taoiseach his view on the anecdotal evidence that census enumerators are finding it difficult to access some housing and apartment complexes; if he is confident that all residents will be able to partake in census 2011 in view of the significant number of voters in Dublin North-East who were not registered to vote in the general election 2011; and if he will make a statement on the matter. [8047/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): 5,344 field staff have been employed to conduct the field operation for the census, made up of 4,854 enumerators, 440 field supervisors and 50 senior managers. All enumerators have been instructed to deliver a census form in person to an adult person in each household in their designated area. Where nobody in the household can be contacted after three visits the enumerator is instructed to leave a calling card containing his/her mobile phone number.

Under the Statistics Act 1993 census field staff are entitled to gain access to all apartment complexes to perform their duties. To assist field staff in this task all Regional and Field Supervisors have been provided with a list of gated complexes in their area. Supervisors were directed to make contact with the relevant management companies to arrange access for their local enumerator by requesting in advance gate codes, key fobs and/or the contact names of security personnel. In difficult situations where no help was forthcoming supervisors were further instructed to, among other things, make contact with local Gardai, local fire or ambulance services or to seek out other contacts such as postal and other delivery personnel. Finally all field staff have been encouraged to use their initiative on the ground by making contact with residents, local taxi companies, fast food companies etc.

The CSO is confident that the steps outlined above will achieve the stated goal of the census which is 100 per cent enumeration. In the small number of situations where householders in gated complexes have had no contact from their enumerator they are encouraged to contact the census helpline, which has been extensively advertised both on the census.ie website and in the media. In these situations census HQ staff will take their details and pass them on to their local enumerator to ensure that the relevant contact is made.

Public Procurement

52. **Deputy Maureen O'Sullivan** asked the Taoiseach the position regarding the awarding of the printing contract for census 2011 to a company (details supplied) particularly in view of it being a wholly-owned subsidiary of a US contractor and its association with human rights issues at Abu Ghraib prison; and if he will make a statement on the matter. [8019/11]

Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe): The printing contract for the 2011 census was part of a comprehensive census tender which was published on etenders in April 2009. The tender covered the software solution for the processing system, which was based on the system used for the 2006 census, the provision, installation and commissioning of the necessary hardware to carry out the processing and the printing of the census forms and enumerator record books.

Following an open public tender the contract was awarded to a UK company, CACI (UK) Ltd. in July 2009. The printing of the census forms and enumerator record books was sub-contracted by CACI (UK) Ltd. to an Irish based printer DCK Ebrook. All Irish census forms were printed in Ireland on site at DCK Ebrook facilities in Walkinstown between April and August 2010.

Departmental Staff

53. **Deputy Michael Creed** asked the Taoiseach 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. [8169/11]

The Taoiseach: The tables beneath provide the information requested by the Deputy.

Year 1995

Grade	Number of WTEs Employed
Secretary General	2
Assistant Secretary	3
Principal Officer	8
Assistant Principal	14
Higher Executive Officer	14
Administrative Officer	7
Executive Officer	11
Staff Officer	9
Clerical Officer	16.5
Clerical Assistant (including Clerical Assistant typist)	25.5
SVO (Support Staff)	23
Paperkeeper	1
Total	134

Year 2000

Grade	Number of WTEs Employed
Secretary General	2
Assistant Secretary	5
Principal Officer	8
Assistant Principal	18.5
Higher Executive Officer	17.5
Administrative Officer	12
Executive Officer	11.5
Staff Officer	10.5
Clerical Officer	46
SVO (Support Staff)	24
Total	155

Year 2005

Grade	Number of WTEs Employed
Secretary General	1
Second Secretary	1
Assistant Secretary	4
Director	1

[The Taoiseach.]

Grade	Number of WTEs Employed
Principal Officer	11.5
Assistant Principal	28.78
Higher Executive Officer	20.4
Administrative Officer	18.1
Executive Officer	22.3
Staff Officer	11.2
Clerical Officer	47
SVO (Support Staff)	21
Total	187.28

Year 2010

Grade	Number of WTEs Employed
Secretary General	1
Assistant Secretary	4
Principal Officer	14.6*
Assistant Principal	21.35
Higher Executive Officer	22.3
Administrative Officer	9
Executive Officer	20.2
Staff Officer	10.43
Clerical Officer	39.5
SVO (Support Staff)	19.58
Total	161.96

*Includes 4 Principal Officers seconded into the Department.

Official Engagements

54. **Deputy Eoghan Murphy** asked the Taoiseach when he will make a State visit to China. [8170/11]

The Taoiseach: The Government attaches great importance to developing our trade and bilateral links with our Asian partners and in particular with China. We look forward to building on the excellent bilateral relations that exist between our two countries and further enhancing our trade, investment, education and tourism links with China. In this context, I very much hope to be in a position to travel to China, perhaps later this year, though of course this is a matter for agreement with the Chinese authorities. Contact between our respective administrations is continuing, including through our Embassy in Beijing, to see if a visit can be confirmed on mutually acceptable dates.

Ministerial Staff

55. **Deputy Timmy Dooley** asked the Taoiseach the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8247/11]

The Taoiseach: Staff working in my constituency office and the constituency offices of both the Government Chief Whip and the Minister of State for European Affairs deal with matters raised by constituents. There are two Personal Assistants and one Personal Secretary working in my constituency office based in Castlebar and one Executive Officer and one Personal Assistant working in my constituency office in Government Buildings. There is one clerical vacancy to be filled in my constituency office in Government Buildings.

The Government Chief Whip has one Personal Secretary based in his constituency office in Enniscorthy. There is one Personal Assistant vacancy yet to be filled and one other vacancy to be filled. The Minister of State for European Affairs has her constituency office located in Government Buildings. The staff consists of one Personal Secretary and two Clerical Officers.

Official Engagements

56. **Deputy Seán Kenny** asked the Taoiseach the foreign leaders he expects to invite here over the next few months. [8485/11]

The Taoiseach: I met with my European Union counterparts at the European Council meetings on 11 March and 24/25 March, and will do so again at future meetings. I expect to meet with some of them bilaterally, possibly in Dublin, over the coming months but no firm arrangements have been finalised yet. I invited President Obama to visit Ireland when I met him in Washington on St. Patrick's Day, and am very pleased that he has accepted my invitation and will visit towards the end of May. President McAleese extended an invitation to Queen Elizabeth to make a State visit to Ireland. This invitation was accepted, and I look forward to meeting the Queen during her State visit next month.

Military Neutrality

57. **Deputy Richard Boyd Barrett** asked the Tánaiste and Minister for Foreign Affairs his plans to change Ireland's traditional policy of neutrality, which in popular consciousness is not purely limited to our non-membership of military alliances. [8388/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The Government is fully committed to protecting Ireland's traditional policy of military neutrality, characterised by non-participation in military alliances. This policy has been underpinned by a set of complementary values which includes the protection of human rights; support for development; and the promotion of disarmament and the elimination of weapons of mass destruction.

Over the years, this approach has helped us to speak with a distinctive and independent voice on many of the key challenges facing the world in relation to the maintenance of international peace and security. Successive Governments have not interpreted neutrality as meaning that Ireland should avoid international engagement. Rather, they have considered that it enhances our capacity to make a direct and significant contribution to the promotion of global peace and stability through the United Nations, the European Union and in bilateral action. There is no doubt that our non-membership of military alliances strengthens our acceptability in areas which are experiencing conflict. This enables us to make a highly regarded contribution to international peace operations, authorised by the United Nations, whether these operations are undertaken under direct UN command or are led by the European Union or by NATO.

Natural Disasters

58. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Foreign Affairs if he will respond to correspondence (detail supplied) regarding the humanitarian crisis in Japan; and if he will make a statement on the matter. [8162/11]

Minister of State at the Department of Foreign Affairs (Deputy Jan O’Sullivan): One month after the devastating magnitude 9 earthquake and tsunami that killed more than 25,000 people in north-eastern Japan, the country’s authorities are continuing to undertake a massive recovery operation and to bring help to the 170,000 people who remain homeless as a result of the disaster. A further 80,000 people living within a 20 kilometre radius of the Fukushima nuclear power plant which was badly damaged as a result of the tsunami, have also been ordered to evacuate their homes, as workers inside the facility attempt to remove contaminated water and cool the plant’s reactor.

The Government responded swiftly to the emergency through the decision on 16 March to allocate €1 million to the Japanese Red Cross, which has been central to the emergency response operation. In addition, the Government placed Irish Aid’s Rapid Response Corps – a roster of highly skilled humanitarian personnel – on standby to assist and offered the use of emergency shelter, water and sanitation equipment from our pre-positioned stockpiles in Dubai and Malaysia. At this stage however, the Japanese authorities have indicated that they are unlikely to require this additional support as they now have sufficient resources available within Japan to procure relief supplies and to deliver them to the worst affected areas.

As I have noted elsewhere, Japan has a long history of coping with natural disasters and has one of the best-developed systems of civil protection anywhere in the world. While many thousands of people remain in evacuation centres, the Government of Japan has already developed detailed plans to provide them with accommodation and has requested the housing industry to build 30,000 temporary homes by mid-May. With the vast majority of towns and cities in Japan left undamaged by the disaster, some 42,000 pre-existing housing units have also been made available by local or public authorities across the country to accommodate the displaced. At this stage, it is not anticipated that accommodation will be required overseas given the significant resources which Japan itself is able to devote to this operation. The Government continues to monitor the situation in Japan and remains ready to offer further support should the Japanese consider this necessary.

Passport Applications

59. **Deputy Terence Flanagan** asked the Tánaiste and Minister for Foreign Affairs if he will review a matter (details supplied) regarding passports; and if he will make a statement on the matter. [8171/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The arrangement whereby citizens aged 65 and over were exempted from passport fees was introduced in 2005. The decision to re-introduce fees for citizens aged 65 or over was announced in the Budget last December. This budgetary measure took effect from 11 April 2011, which was the date set out in the Statutory Instrument 47/2011 signed by the then Taoiseach and acting Minister for Foreign Affairs on 3 February 2011. Based on an estimated figure of 30,000 applications from those aged 65 or over during 2011, the cost of exempting those aged 65 and over from passport fees was estimated to be €2.4 million in 2011 in terms of lost revenue. This figure is based on a figure of 45,000 persons aged 65 and over having applied in the full year in 2010. All passport applicants aged 18 years or over pay the same fee for a ten year passport.

Introducing an arrangement whereby adults of any age would be eligible to apply for a passport for a period of less than 10 years would increase the total demand for passports on an ongoing basis and would require the recruitment of additional staff in the Passport Offices to cope with increased demand. A reduced term of validity for children’s passports is necessary as childrens’ appearances change significantly within a short period of years, which can lead to uncertainty regarding the identity of the passport holder. This is not generally the case for

adults of any age and it is the norm internationally to provide standard validity passports to all adults.

In addition, were the Passport Office to charge a reduced fee, this would increase further the gap between the revenue generated through passport fees and the cost of producing passports. Any shortfall would have to be met by the taxpayer. For these reasons, I have no plans to introduce a passport of less than 10 year validity for adult applicants, regardless of age. I would emphasise that the annualised fee for a standard Irish passport compares favourably with many other jurisdictions. At €8 per year the Irish passport fee compares with approximately €9 per year for a British passport, €9 per year for a French passport, €8 per year for a Danish passport, €10 per year for a United States passport and €15 per year for an Australian passport.

Ministerial Staff

60. **Deputy Timmy Dooley** asked the Tánaiste and Minister for Foreign Affairs the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8243/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The following are the intended staffing arrangements for my constituency office and those of Minister of State O'Sullivan and Minister of State Creighton. These arrangements will be in line with the Government's decision on 15 March 2011 to reduce maximum permitted constituency office staffing levels for Ministers of the Government and Ministers of State. Staff members appointed to Ministerial Offices are required to perform any duties that may be assigned to them from time to time as appropriate to their grades and posts.

Office of the Tánaiste and Minister for Foreign Affairs and Trade

1 Personal Assistant
1 Personal Secretary
2 Clerical Officers

Minister of State for Trade and Development

1 Personal Assistant
1 Personal Secretary
1 Clerical Officer

Minister of State for European Affairs

1 Personal Secretary
2 Clerical Officers

Departmental Staff

61. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs the number of staff and their grades in each Irish embassy and honorary consul office. [8486/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The information requested by the Deputy is set out in the table below. The figures take account of officers of other Government Departments serving in our Missions abroad, most notably Ireland's Perma-

[Deputy Eamon Gilmore.]

ment Representation to the EU in Brussels and in Visa Offices operated within Embassies by staff seconded from the Department of Justice and Equality. Those include some staff whose salaries and other costs are borne by their parent Departments. Positions marked with an asterisk are filled by personnel engaged through local employment agencies and not directly employed by the Missions.

The figures exclude programme staff employed locally by Irish Aid. Also excluded are Irish Honorary Consuls and their staff none of whom are State employees. The Irish diplomatic and consular network is relatively modest in scale compared with countries of similar size and international profile. Overall, diplomatic relations are maintained with 176 countries through a network of 75 Missions, including non-resident accreditations. As the table indicates, Missions are generally small. Over half of our offices have two or fewer diplomatic officers; seven operate with only one.

Mission	Grades and Numbers
Abu Dhabi (including Visa Office)	1 Counsellor (Ambassador) 1 Third Secretary 1 Higher Executive Officer 3 Executive Officers 1 Personal Assistant 1 Clerk Secretary 2 Clerk Secretaries 1 Driver/Administrator 1 Driver/Messenger
Abuja (including Visa Office)	1 Counsellor (Ambassador) 1 Third Secretary 1 Higher Executive Officer 3 Executive Officers 1 Office Manager 1 Personal Assistant 1 Clerk Secretary 4 Driver/Messengers 3 Visa Assistants 1 Attaché
Addis Ababa	1 Counsellor (Ambassador) 1 Senior Development Specialist 2 Development Specialists 1 Third Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger
Ankara	1 Counsellor (Ambassador) 1 First Secretary 1 Third Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger
Athens	1 Counsellor (Ambassador) 1 First Secretary 1 Third Secretary 3 Clerk Secretaries 1 Driver/Messenger
Atlanta	1 First Secretary (Consul General) 1 Clerk Secretary

Mission	Grades and Numbers
Beijing (including Visa Office)	1 Assistant Secretary (Ambassador) 1 Counsellor 1 First Secretary 1 Third Secretary 1 Higher Executive Officer 2 Executive Officers 1 Clerical Officer 1 Office manager 1 Receptionist* 3 Interpreters* 5 Administration Staff* 3 Driver/Messengers* 2 Maintenance Officers* 3 Cleaners*
Berlin	1 Assistant Secretary (Ambassador) 1 Counsellor 2 First Secretaries 1 Assistant Principal Officer 1 Third Secretary 1 Personal Assistant 4 Clerk Secretaries 1 Driver/Messenger
Berne	1 Assistant Secretary (Ambassador) 1 Third Secretary 2 Clerk Secretaries 1 Driver/Messenger
Boston	1 First Secretary (Consul General) 1 Third Secretary 1 Senior Clerk Secretary 2 Junior Clerk Secretaries
Brasilia	1 Counsellor (Ambassador) 1 Third Secretary 1 Personal Assistant 1 Office Manager 1 Clerk Secretary 1 Driver/Messenger
Bratislava	1 Counsellor (Ambassador) 1 Higher Executive Officer 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Brussels — Embassy (including Partnership for Peace Liaison Office)	1 Assistant Secretary (Ambassador) 1 Counsellor 3 Principal Officers/Irish Military equivalents 2 Assistant Principal Officers/Irish Military equivalents 1 First Secretary 1 Higher Executive Officer 1 Clerical Officer 3 Clerk Secretaries 1 Driver/Messenger
Brussels — Permanent Representation of Ireland to the European Union	1 Assistant Secretary (Permanent Representative) 1 Assistant Secretary (Deputy Permanent Representative) 1 Brigadier General 3 Counsellors 9 Principal Officers 8 First Secretaries 21 Assistant Principal Officers/Irish Military equivalents 4 Third Secretaries 2 Higher Executive Officers 5 Executive Officers 21 Clerical Officers

[Deputy Eamon Gilmore.]

Mission	Grades and Numbers
Brussels — Permanent Representation of Ireland to the European Union — <i>contd.</i>	3 Clerk Secretaries 2 Driver/Messengers 1 Messenger
Bucharest	1 Counsellor (Ambassador) 1 First Secretary 1 Personal Assistant* 3 Clerk Secretary* 1 Driver Messenger*
Budapest	1 Counsellor (Ambassador) 1 First Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger
Buenos Aires	1 Counsellor (Ambassador) 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 0.6 Consular Assistant* 1 Driver/Messenger
Cairo	1 Counsellor (Ambassador) 1 First Secretary 1 Third Secretary 1 Office Manager 1 Personal Assistant /Accounts Clerk 2 Clerk Secretaries 2 Driver/Messengers 1 Messenger
Canberra	1 Counsellor (Ambassador) 1 First Secretary 1 Office Manager 1 Senior Clerk 1 Clerk Secretary 1 Receptionist 2.5 Passport Officers1 Driver/Messenger
Chicago	1 Counsellor (Consul General) 1 Third Secretary 3.4 Clerk Secretaries
Copenhagen	1 Second Secretary (Ambassador) 1 Third Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger 0.4 Office Cleaner
Strasbourg — Council of Europe	1 Assistant Secretary (Ambassador) 1 Third Secretary 1 Office Manager 1 Driver/Messenger 1 Administrative Assistant
Dar-Es-Salaam	1 Counsellor (Ambassador) 1 Senior Development Specialist 2 Development Specialists 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Dili	1 Development Specialist (Head of Mission) 1 Executive Officer 1 Clerk Secretary
Freetown	1 First Secretary (Head of Mission) 1 Third Secretary 1 Driver/Administrator

Mission	Grades and Numbers
Edinburgh	1 First Secretary (Consul General) 1 Clerical Officer 1 Clerk Secretary
Geneva PMUN	1 Assistant Secretary (Ambassador) 1 Principal Officer 2 First Secretaries 1 Assistant Principal Officer 1 Third Secretary 1 Higher Executive Officer 1 Executive Officer 2 Clerical Officers 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Hanoi	1 Principal Officer (Ambassador) 1 Senior Development Specialist 1 Development Specialist 1 First Secretary 1 Clerical Officer 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Helsinki	1 Counsellor (Ambassador) 1 Third Secretary 2 Clerk Secretaries 1 Driver/Messenger
Holy See	1 Deputy Secretary (Ambassador) 1 Third Secretary 1 Office Manager 1 Clerk Secretary 1 Driver/Messenger
Kampala	1 Counsellor (Ambassador) 1 Senior Development Specialist 1 Development Specialist 1 Third Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger
Kuala Lumpur	1 Assistant Secretary (Ambassador) 1 First Secretary 3.5 Clerk Secretaries 2 Driver/Messengers
Lisbon	1 Assistant Secretary (Ambassador) 1 First Secretary 2 Clerk Secretaries 1 Driver/Messenger
Lilongwe	1 Counsellor (Ambassador) 1 Principal Development Specialist 1 Development Specialist 1 Third Secretary 1 Clerk Secretary
Ljubljana	1 Counsellor (Ambassador) 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger

[Deputy Eamon Gilmore.]

Mission	Grades and Numbers
London (including Visa Office and Passport Office)	1 Deputy Secretary (Ambassador) 2 Counsellors 1 Principal Officer 3 First Secretaries 3 Assistant Principal Officers 2 Third Secretaries 4 Higher Executive Officers 2 Executive Officers 17 Clerical Officers 3 Services Officers 1 Garda Liaison Officer 1 Personal Assistant 8 Clerk Secretaries 2 Driver/Messengers 1 Maintenance Officer
Lusaka	1 Principal Officer (Ambassador) 1 Senior Development Specialist 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Luxembourg	1 First Secretary (Ambassador) 1 Personal Assistant 2 Secretary/Typists 1 Driver/Messenger
Madrid	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 1 Executive Officer 1 Garda Liaison Officer 1 Personal Assistant 3 Clerk Secretaries 4 Secretaries 1 Driver/Messenger
Maputo	1 Counsellor (Ambassador) 1 Senior Development Specialist 2 Development Specialists 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Maseru	1 Principal Officer (Ambassador) 1 Senior Development Specialist 1 Clerk Secretary 1 Driver Messenger
Mexico	1 Counsellor (Ambassador) 1 First Secretary 1 Third Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger 1 Driver/Messenger*
Moscow (including Visa Office)	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 1 Higher Executive Officer 3 Executive Officers 2 Clerical Officers 2 Secretary/Translators 5 Clerk Secretaries 2 Driver/Messengers 1 Electrician/Handyman

Mission	Grades and Numbers
New Delhi (including Visa Office)	1 Assistant Secretary (Ambassador) 1 Assistant Principal Officer 1 Third Secretary 1 Higher Executive Officer 3 Executive Officers 1 Office Manager 1 Executive Assistant 1 Visa Manager 3 Clerk Secretaries 3 Visa Clerks 1 Driver/Messenger 1 Messenger
New York CG	1 Counsellor (Consul General) 2 First Secretaries 1 Third Secretary 1 Executive Officer 1 Personal Assistant 8 Clerk Secretaries 1 Receptionist 1 Driver/Messenger 1 Messenger
New York PMUN	1 Deputy Secretary (Ambassador) 2 Counsellors 5 First Secretaries 1 Third Secretary 1 Executive Officer 1 Personal Assistant 4 Clerk Secretaries 1 Driver/Messenger
Nicosia	1 First Secretary (Ambassador) 1 Clerical Officer 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Oslo	1 Assistant Secretary (Ambassador) 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 1 Driver/Messenger
Ottawa	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 1 Visa/Accounts Officer 1 Administrator 1 Driver/Messenger
Paris	1 Assistant Secretary (Ambassador) 1 Counsellor 1 First Secretary 1 Assistant Principal Officer 2 Third Secretaries 1 Garda Liaison Officer 1 Personal Assistant 8 Clerk Secretaries 1 Driver/Messenger 1 Messenger
Paris OECD	1 Counsellor (Ambassador) 1 First Secretary 1 Personal Assistant

[Deputy Eamon Gilmore.]

Mission	Grades and Numbers
Prague	1 Deputy Secretary (Ambassador) 1 First Secretary 4 Clerk Secretaries 1 Attaché 1 Driver/Messenger
Pretoria	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Development Specialist 1 Assistant Principal 1 Third Secretary 4 Clerk Secretaries 1 Consular Officer 1 Consular Assistant* 2 Driver/Messengers
Ramallah	1 Counsellor (Representative) 1 Third Secretary 1 Office Manager 1 Clerk Secretary 1 Driver/Administrator 1 Driver/Messenger
Riga	1 First Secretary (Ambassador) 1 Personal Assistant* 1 Consular Assistant*
Riyadh	1 Counsellor (Ambassador) 1 First Secretary 1 Personal Assistant 1 Office Manager 2 Clerk Secretary 3 Driver/Messengers 1 Maintenance/Technician
Rome	1 Assistant Secretary (Ambassador) 1 Principal Officer 1 First Secretary 1 Third Secretary 1 Personal Assistant 4.8 Clerk Secretaries 2 Driver/Messengers
San Francisco	1 Assistant Principal Officer (Consul General) 1 Third Secretary 1 Office Manager 2 Clerk Secretaries
Seoul	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Personal Assistant 1 Office Manager 1 Receptionist 1 Driver/Messenger
Shanghai	1 Counsellor (Consul General) 1 Third Secretary 1 Clerical Officer 1 Receptionist* 1 Personal Assistant/Interpreter* 1 Visa Clerk* 1 Driver/Messenger*
Singapore	1 Assistant Secretary (Ambassador) 1 Third Secretary 1 Administrative Officer 1 Personal Assistant 1 Clerk Secretary 1 Clerk Secretary* 1 Driver/Messenger

Mission	Grades and Numbers
Sofia	1 Counsellor (Ambassador) 1 Third Secretary 3 Clerk Secretaries* 1 Driver/Messenger*
Stockholm	1 Assistant Secretary (Ambassador) 1 Third Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger
Sydney	1 First Secretary (Consul General) 1 Third Secretary 1 Personal Assistant 1 Consular/Passport Officer 1 Consular Officer/Receptionist
Tallinn	1 First Secretary (Ambassador) 1 Personal Assistant 1 Clerk Secretary
Tehran	1 Counsellor (Ambassador) 1 Third Secretary 1 Personal Assistant 1 Clerk Secretary 2 Driver/Messengers
Tel Aviv	1 Counsellor (Ambassador) 1 First Secretary 1 Personal Assistant 2 Clerk Secretaries 1 Driver/Messenger
The Hague	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 1 Garda Liaison Officer 1 Personal Assistant 3 Clerk Secretaries 1 Driver/Messenger
Tokyo	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 1 Office Manager 1 Press & Cultural Attaché 5 Clerk Secretaries 1 Driver/Messenger
Valletta	1 First Secretary (Ambassador) 1 Personal Assistant* 1 Clerk Secretary*
Vienna Embassy	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 3 Clerk Secretaries 1 Secretary/Administrative Assistant 1 Driver/Messenger
Vienna OSCE	1 Assistant Secretary (Ambassador) 2 First Secretaries 1 Third Secretary 1 Attaché 1 Personal Assistant 3 Clerk Secretaries 1 Driver/Messenger
Vilnius	1 Counsellor (Ambassador) 1 Third Secretary 1 Personal Assistant* 0.5 Clerk Secretary* 1 Driver/Messenger*

[Deputy Eamon Gilmore.]

Mission	Grades and Numbers
Warsaw	1 Assistant Secretary (Ambassador) 1 First Secretary 1 Third Secretary 1 Agriculture Inspector 1 Personal Assistant 2 Receptionist/Secretary/ Translators 1 Driver/Messenger
Washington	1 Second Secretary (Ambassador) 2 Counsellors 1 Principal Officer 2 First Secretaries 1 Assistant Principal Officer 1 Third Secretary 1 Executive Officer 2 Clerical Officers 1 Agriculture Inspector 1 Personal Assistant 5 Clerk Secretaries 1 Driver/Messenger 1 Caretaker/Messenger

Official Engagements

62. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs the counterparts that he expects to invite here over the next few months. [8487/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): As Tánaiste and Minister for Foreign Affairs and Trade I intend to meet regularly with my foreign counterparts at EU and international level, both abroad and here in Dublin. I have already met my EU counterparts at the Gymnich informal meeting of Foreign Ministers in Budapest on 11-12 March, and again at last week's meeting of the Foreign Affairs Council. I will continue to engage with my counterparts at Council meetings in the coming months, and will again meet them in an informal setting in Poland on 2-3 September. I would hope to have a number of bilateral meetings *en marge* of the 25-6 May OECD meeting in Paris, including with the French Foreign Minister, Alain Juppé.

I am in regular contact with various members of the British Government, including Deputy Prime Minister Clegg and Foreign Secretary Hague, both of whom I expect to meet for bilateral meetings next month, and with Secretary of State for Northern Ireland Owen Paterson with whom I met yesterday in Dublin. I am also in contact with Secretary of State Clinton who I met last month in Washington. I will be Chair-in-Office of the OSCE in 2012. Ireland is currently in the OSCE Troika with Lithuania, the current Chair-in-Office, and Kazakhstan, last year's Chair. In terms of preparation, I expect to address the OSCE's Permanent Council in Vienna later this year to provide an outline of our Chairmanship priorities. A Ministerial Troika meeting with the Kazakh and Lithuanian Foreign Ministers is also planned for the coming months.

In addition, I intend to avail of the opportunity of the Ministerial Week of the UN General Assembly in New York in September to schedule and conduct a round of bilateral meetings with the Foreign Ministers of a number of key partner countries for Ireland. I will, of course, continue to take every opportunity during meetings with my counterparts to actively pursue the Government's key objective of restoring economic growth through trade promotion, particularly in relation to priority and emerging markets.

Passport Applications

63. **Deputy Michelle Mulherin** asked the Tánaiste and Minister for Foreign Affairs the short-

est period within which an emergency passport can be issued for the purposes of business. [8530/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): The standard processing time for all passports received through the Passport Express Service or over the counter in the Passport Office in Dublin City Centre or in Cork is 10 working days. Applicants can ask to have an application expedited in the case of urgent business. In such cases, the Passport Office may issue a passport within 3 working days. A fee of €55, which is additional to the applicable fee for the issue of a passport, must be paid by the applicant. When applying through a public office, the applicant must state clearly at the time of application that the passport is needed urgently and must provide satisfactory evidence of the need to expedite the application. An expedited service is not provided in cases where the applicant is a first time adult applicant or cannot produce his/her previous passport due to loss or theft.

Statutory Instrument 47/2011 provides for the issue of an emergency passport outside of normal hours for an additional emergency fee of €110. An emergency passport duty officer service operates on Friday evenings and on Saturdays and Sundays through my Department's offices in Dublin and in Cork. Citizens abroad would need to make an appointment through an Irish diplomatic mission. In cases of genuine emergency, a temporary passport with limited validity of no more than 11 months can be issued on a same day basis.

Emigrant Support Services

64. **Deputy Thomas Pringle** asked the Tánaiste and Minister for Foreign Affairs if he will provide a list of the amounts drawn down to date of the emigrant services grants for 2009 and 2010 for Britain. [8572/11]

65. **Deputy Thomas Pringle** asked the Tánaiste and Minister for Foreign Affairs the procedures in place to ensure that the emigrant services grants, particularly for 2009 and 2010, have been spent in the areas that they have been applied for and benefit the target groups in the applications; and if he will make a statement on the matter. [8573/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): I propose to take Questions Nos. 64 and 65 together.

Through the Emigrant Support Programme (ESP), my Department provides funding to not-for-profit organisations and projects to support Irish communities overseas, with a particular focus on initiatives that address the needs of the most disadvantaged and vulnerable Irish emigrants. Details of all grant recipients since 2006 can be found on my Department's website. €8,459,319 was provided to British-based organisations in 2009 and €8,135,668 in 2010 — a full list of grant recipients is set out in the table. Two organisations who drew down funding in 2009 subsequently returned money to the Department. The first returned stg£4,085 due to an under-spend on their capital project while the second returned stg£3,600 due to the cancellation of their proposed project.

As elsewhere, the emphasis of the programme's funding in Britain is on supporting frontline welfare services. The organisations funded provide a range of services, ranging from informal community networking groups for senior citizens to outreach services and advice in accessing entitlements. This support has had a very tangible and positive impact on Irish communities in Britain, in particular on the lives of our vulnerable citizens, a point acknowledged by the Simon Community and the British-Irish Inter-parliamentary Body, amongst others. In addition to supporting frontline services, the ESP has also supported a number of community and heritage projects and, through capital grants, invested in the strategic futures of these communities.

[Deputy Eamon Gilmore.]

With regard to the procedures that are in place to ensure that the emigrant services' grants have been spent appropriately, I should point out that a stringent set of criteria is in place to ensure appropriate use of approved funding. Once an application has been approved, organisations are required to sign a Terms and Conditions Contract which specifically sets out the terms of use of the grant and obliges them to return a monitoring and evaluation report to the Department within an agreed timeframe. The evaluation report allows the Department to measure progress on projects against the terms of the funding. Our Embassies also play a key role by remaining in regular contact with recipient organisations, including conducting formal and informal monitoring visits and meetings as required.

A 2007 Value for Money and Policy Review of the Programme, conducted by Goodbody Economic Consultants, found that the systems implemented to administer and monitor the Emigrant Support Programme worked well and the key recommendations made in the report have since been implemented. A 2009 audit of a number of ESP-funded organisations in Britain and the US by the Department's Audit Unit expressed satisfaction with the operation of the programme in respect of these organisations. All aspects of Departmental expenditure are reported on annually to the Public Accounts Committee and subject to unscheduled verification by the Comptroller and Auditor General.

Emigrant Support Programme Grants to British-based organisations in 2009

Name of Organisation	2009 (€)
Acton Homeless Concern (London)	51,435.87
Age Concern Hillingdon (Middlesex)	8,020.10
Aisling Project (London)	113,382.42
Bell Farm Christian Centre (Middlesex)	11,271.35
Benefits Advice Shop (Denbighshire)	5,843.85
Birmingham Irish Community Forum	139,189.49
Blackfriars Advice Centre (London)	22,692.46
Bolton Irish Community Association	20,760.52
Brent Adolescent Centre (London)	31,485.79
Brent Irish Advisory Service (London)	196,255.74
Brian Boru Club (Wigan)	31,594.95
Bristol Playbus Project	18,855.77
Causeway Irish Housing Association (London)	25,691.19
Celtic & Irish Cultural Society (Crawley)	20,278.17
Central & Cecil Housing Trust (London)	63,013.15
Central Eltham Youth Project (London)	27,230.95
Comhaltas Ceoltóirí Éireann (Liverpool)	173,211.26
Conradh na Gaeilge, Glaschú (Glasgow)	38,904.35
Corby Irish Centre	49,293.73
Council of Irish County Associations (London)	11,346.23
Coventry Irish Society	130,659.78
Cricklewood Homeless Concern (London)	220,273.82
Derby Irish Association	31,126.02
Dewsbury Celtic RLFC	54,851.63
Dewsbury Irish National League Club	4,101.80
Eastleigh & District Irish Society	36,724.26

Name of Organisation	2009 (€)
Edinburgh Cyrenians	18,750.48
Eireanns Ways (Glasgow)	4,084.64
Emerald Circle Club (Harrow)	3,506.31
Emerald Senior Citizens Group (Wolverhampton)	8,181.39
Equinox (London)	32,054.70
Federation of Irish Societies (London)	659,215.98
Forest Bus (Southampton)	5,728.67
Friends, Families and Travellers (Brighton)	17,643.76
Full Irish Festival and Funday (Cheshire)	5,162.53
Gael Music (Reading)	8,509.67
Garngad Irish Heritage Group	7,942.36
GEAR Project (Gloucester)	23,375.41
Greenwich Irish Pensioners Association (London)	6,661.99
Halifax and District Irish Society	20,102.85
Halifax Irish Centre	20,774.14
Haringey Irish Cultural and Community Centre (London)	177,202.15
Haringey Irish Pensioners	3,971.18
Harps Community Project (Glasgow)	40,846.43
Haslingden IDL Club	5,750.35
Huddersfield Irish Centre	7,409.09
Huddersfield St. Patrick's Day Parade Association	5,843.85
Immigrant Counselling and Psychotherapy (ICAP) (London)	205,650.50
IN-GB Association — Ireland Network Great Britain (London)	5,843.85
Irish Centre Housing (London)	114,708.32
Irish Chaplaincy in Britain (London)	219,069.09
Irish Charitable Trust (London)	193,022.44
Irish Community Care Manchester	198,194.25
Irish Community Care Merseyside	311,472.86
Irish Cultural Centre, Hammersmith	248,900.78
Irish Diaspora Foundation (Manchester)	65,919.82
Irish Elderly Advice Network (London)	102,619.21
Irish Heritage (Surrey)	11,687.70
Irish in Greenwich (London)	225,621.79
Irish Network (Stevenage)	29,175.70
Irish Oral History Archive (London)	83,688.64
Irish Repertory Theatre and Film Company (London)	6,070.23
Irish Traveller Movement in Britain (London)	136,000.45
Irish Tuesday Club (Liverpool)	5,165.97
Irish Welfare & Information Centre (Birmingham)	241,975.22
Irish World Heritage Centre (Manchester)	43,172.04
Kilburn Irish Pensioners	6,598.48
Lancashire Federation of IDL Clubs	876.58
Leeds Gypsy & Traveller Exchange	52,809.03
Leeds Irish Centre Charity	32,447.55
Leeds Irish Health & Homes	171,183.98
Leeds St. Patrick's Day Parade & Celebrations	11,913.54
Leicester & Leicestershire Irish Forum	46,598.88
Lewisham Irish Community Centre	57,186.85

[Deputy Eamon Gilmore.]

Name of Organisation	2009 (€)
Lewisham Irish Pensioners Association	10,402.06
Liverpool Irish Festival Society	4,967.27
London Gypsy and Traveller Unit	110,270.54
London Irish Amateur Rugby Club	10,438.53
London Irish Centre Charity	579,688.28
London Irish Music School	7,597.01
London Irish Pensioners Choir	4,242.64
London Irish Women's Centre	88,639.55
Luton Irish Forum	287,327.26
Manchester Irish language Group	876.58
Mansfield & Dukeries Irish Association	4,675.08
Marian Senior Citizens Club (London)	3,623.19
Milton Keynes Irish Centre	37,857.65
Momentum Care Irish Elders Centre (Glasgow)	111,348.76
Monica's Place (Birmingham)	35,063.11
New Horizon Youth Centre (London)	66,975.56
NOAH Enterprise (Luton)	136,811.59
North London Action for the Homeless	6,851.33
North Wales Irish Society	7,012.62
Northampton Irish Support Group	70,814.63
Nottingham Irish Studies Group	1,168.77
Nottingham St. Patrick's Day Parade Festival Association	10,778.92
Our Lady Help of Christian Homeless Project (London)	65,234.92
Over 60's Pensioners Club (Camden, London)	2,199.49
Oxford Irish Society	2,507.42
Portsmouth Irish Society	1,633.57
Queen's Park Senior Citizen Group (London)	4,675.08
Reading and District Irish Association	55,944.06
Rotherham Irish Society	3,214.12
Safe Start Foundation (Middlesex)	132,750.89
Sandwell Irish Community Association	15,884.72
Sandwell Irish Society	38,569.42
Sheffield Irish Association	8,118.04
SIFA Fireside (Birmingham)	46,750.82
Solace Women's Aid (Camden Women's Aid) (London)	48,221.48
Southwark Irish Culture & Arts Development	10,518.93
Southwark Irish Pensioners Project	199,011.22
Southwark Irish Youth	8,181.39
Southwark Travellers Action Group	87,657.78
St. Catherine's Mercy Centre (Edinburgh)	6,094.06
St. Michael's Irish Centre (Liverpool)	97,175.45
St. Mungo's Community Housing Association Ltd London)	34,642.03
St. Patrick's Day Festival Committee (Coatbridge)	7,698.23
St. Patrick's Senior Tuesday Club (Leamington Spa)	5,105.80
St. Theresa's House (Peterborough)	28,629.94
Streetwork UK (Edinburgh)	35,063.11
Tara Irish Pensioners (London)	2,219.50

Name of Organisation	2009 (€)
The Connection at St. Martin's (London)	23,375.41
The Emerald Centre (Leicester)	52,627.40
The Golden Shamrock Club (Nottingham)	11,898.08
The Hibernian Society (Reading)	44,413.28
The Irish Arts Foundation (Leeds)	100,251.29
The Maya Centre (London)	22,692.46
The Passage (London)	41,981.05
The Simon Community (London)	17,531.56
The Warrington Irish Club	35,899.40
Tyneside Irish Centre	66,440.27
Tyneside Irish Cultural Society	25,128.56
Watford and District Irish Association	24,161.86
Total	8,459,319.35

Emigrant Support Programme Grants to British-based organisations in 2010

Name of Organisation	2010 (€)
Acton Homeless Concern (London)	56,401.55
Age Concern Hillingdon (Middlesex)	9,895.73
Aisling Project (London)	117,616.39
Basingstoke Irish Society	19,503.34
Bell Farm Christian Centre (Middlesex)	12,124.15
Benefits Advice Shop (Denbighshire)	6,053.27
Birmingham Irish Community Forum	87,698.84
Blackfriars Advice Centre (London)	23,257.17
Bolton Irish Community Association	8,474.58
Bradford Irish Club Ltd	6,053.27
Brent Adolescent Centre (London)	33,595.64
Brent Irish Advisory Service (BIAS)	224,296.80
Brian Boru Club (Wigan)	44,552.06
Bristol Playbus Project	9,111.21
Causeway Irish Housing Association (London)	28,323.23
Celtic & Irish Cultural Society (Crawley)	21,823.47
Central & Cecil Housing Trust (London)	62,218.72
Central Eltham Youth Project (London)	29,097.96
Comhaltas Ceoltóirí Éireann (Liverpool)	174,753.88
Conradh na Gaeilge, Glaschú (Glasgow)	41,939.86
Corby Irish Centre	34,622.73
Council of Irish County Associations (London)	6,133.17
Coventry Irish Society	152,345.04
Cricklewood Homeless Concern (London)	207,287.83
Derby Irish Association	36,372.45
Edinburgh Cyrenians	16,525.22
Emerald Circle Club (Harrow)	3,637.25
Emerald Senior Citizens Group (Wolverhampton)	8,474.58
Equinox (London)	31,855.34
Federation of Irish Societies	686,435.26

[Deputy Eamon Gilmore.]

Name of Organisation	2010 (€)
Feith an Cheoil School of Irish Traditional Music (Middlesex)	4,849.66
Forest Bus (Southampton)	6,207.57
Friends, Families and Travellers (Brighton)	12,555.77
Full Irish Festival and Funday (Cheshire)	5,455.87
Gael Music (Reading)	4,243.45
Garngad Irish Heritage Group	10,911.74
GEAR Project (Gloucester)	24,213.08
Greenwich Irish Pensioners Association (London)	6,900.73
Halifax and District Irish Society	20,823.24
Halifax Irish Centre	16,973.81
Haringey Irish Cultural and Community Centre (London)	190,922.65
Harps Community Project (Glasgow)	40,009.70
Haslingden IDL Club	4,564.16
Huddersfield Irish Centre	7,007.76
Immigrant Counselling and Psychotherapy (ICAP) (London)	225,894.76
IPN Scotland	1,193.89
Irish Chaplaincy in Britain (London)	223,609.51
Irish Charitable Trust (London)	200,230.36
Irish Community Care Manchester	214,529.06
Irish Community Care Merseyside	299,401.94
Irish Community Services/ Irish in Greenwich)	244,236.18
Irish Cultural Centre, Hammersmith	252,179.18
Irish Diaspora Foundation (Manchester)	68,778.49
Irish Elderly Advice Network (London)	106,007.26
Irish Heritage (Surrey)	11,016.95
Irish Network (Stevenage)	5,232.86
Irish Oral History Archive (London)	97,743.34
Irish Pensioners Choir	4,000.97
Irish Repertory Theatre and Film Company (London)	7,516.97
Irish Traveller Movement in Britain (London)	139,384.85
Irish Tuesday Club (Liverpool)	8,491.53
Irish Welfare & Information Centre (Birmingham)	215,436.47
Irish World Heritage Centre (Manchester)	39,876.51
Kilburn Irish Pensioners	5,435.84
Lancashire Federation of IDL Clubs	2,267.22
Leeds Gypsy & Traveller Exchange	56,351.09
Leeds Irish Centre	72,639.23
Leeds Irish Health & Homes	180,071.53
Leeds St Patrick's Day Parade Association	12,210.01
Leicester & Leicestershire Irish Forum	71,013.32
Lewisham Irish Community Centre	60,468.63
Lewisham Irish Pensioners Association	10,463.14
Liverpool Irish Festival Society	9,456.84
London Gypsy and Traveller Unit	116,698.59
London Irish Amateur Rugby Club	12,609.12
London Irish Centre Charity	605,127.12
London Irish Music School	4,849.66

Name of Organisation	2010 (€)
London Irish Women's Centre	90,506.05
Luton Irish Forum	122,566.59
Manchester Irish Education Group	1,271.19
Manchester Irish Language Group	909.31
Mansfield & Dukeries Irish Association	6,053.27
Marian Senior Citizens Club (London)	3,753.03
Milton Keynes Irish Centre	19,297.82
Momentum Care Irish Elders Centre (Glasgow)	116,570.22
Monica's Place (Birmingham)	60,532.69
New Horizon Youth Centre (London)	46,263.34
NOAH Enterprise (Luton)	132,088.38
North London Action for the Homeless	8,600.50
North Wales Irish Society	7,516.97
Northampton Irish Support Group	70,641.37
Nottingham St Patrick's Day Parade & Festival Association	9,302.87
Over 60's Pensioners Club (Camden, London)	1,212.42
Oxford Irish Society	2,445.52
Queen's Park Senior Citizen Group (London)	4,152.52
Rotherham Irish Society	3,637.25
Safe Start Foundation (Middlesex)	136,054.42
Sandwell Irish Community Association	16,779.83
Sandwell Irish Society	42,021.10
SankTus (formerly Our Lady Help of Christian's Welfare)	67,670.95
Sheffield Irish Association	6,332.03
SIFA Fireside (Birmingham)	48,426.15
Slough Irish Society	35,077.48
Solace Women's Aid (Camden Women's Aid) (London)	51,527.64
Southwark Irish Culture & Arts Development	9,578.08
Southwark Irish Pensioners Project	209,975.79
Southwark Travellers Action Group	90,925.07
St Patrick's Day Festival (London)	8,357.21
St Patrick's Day Festival Committee (Coatbridge)	7,880.70
St. Catherine's Mercy Centre (Edinburgh)	6,062.08
St. Michael's Irish Centre (Liverpool)	71,515.52
St. Patrick's Senior Tuesday Club (Leamington Spa)	6,053.27
St. Theresa's House (Peterborough)	31,188.17
Streetwork UK (Edinburgh)	36,319.61
Tara Irish Pensioners (London)	1,210.65
The Connection at St Martin's (London)	24,248.30
The Emerald Centre (Leicester)	56,934.62
The Golden Shamrock Club (Nottingham)	11,585.84
The Hibernian Society (Reading)	41,162.23
The Huddersfield St Patrick's Day Parade Association	5,811.14
The Irish Arts Foundation (Leeds)	103,994.91
The Irish Club Warrington	8,777.24
The Maya Centre (London)	24,248.30
The Passage (London)	44,173.83
Tuesday Club Leeds Irish Centre	7,263.92

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Name of Organisation	2010 (€)
Tyneside Irish Centre	43,268.77
Tyneside Irish Cultural Society	26,029.06
West Hampstead Women's Centre	7,352.09
Total	8,135,669

Motor Vehicle Registration

66. **Deputy Billy Timmins** asked the Minister for Finance the changes, if any, that have taken place or are about to take place for the registration of tractors; and if he will make a statement on the matter. [8180/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that a number of changes have taken place recently in relation to the registration of vehicles, including tractors. Section 61 of the Finance (No. 2) Act of 2008, made provision to allow Revenue to appoint a competent person to carry out a pre-registration examination on all vehicles presented for registration, in order to ascertain that all the conditions necessary for the registration of the vehicle and the proper administration of vehicle registration tax (VRT) have been complied with, before the vehicle could be registered. Section 109 of the Finance Act 2010, subsequently provided that Revenue could authorise a competent person to declare the vehicle details to Revenue and to collect, on behalf of Revenue, the VRT due on vehicles.

The provisions of these Acts were implemented with effect from 1 September 2010 when the NCTS, acting as a competent person appointed by Revenue, took on the role of conducting a pre-registration examination of all vehicles presented for examination in accordance with the legislation. Like other vehicles, tractors must, in the normal course of events, be presented at an NCT Centre for a pre-registration inspection. However, Revenue became aware that there were a number of tractors already in the State that, for whatever reason, were not registered in accordance with the legislation in place before 1 September 2010. It was recognised that the new legislation may place a burden on the owners of those vehicles to fulfil their registration obligations. Additionally, there may have been a number of people who, because they were not aware of the impending change, despite the extensive advertising campaign run by Revenue, that were not in a position to register their tractor immediately after import. For these reasons, Revenue did, as an interim measure until the end of 2010, waive the requirement for a tractor to be presented for examination at registration.

Directive 2003/37/EC relating to type approval of tractors was transposed into Irish law in Statutory Instrument 773 of 2005. This Instrument required that all new tractors must have a Certificate of Conformity as a prerequisite of registration. The provisions of this Instrument were fully implemented in September 2010 as part of the new registration regime. Therefore, from 1 September 2010, it was not possible to register in the State a new tractor, i.e. one that not been previously registered elsewhere, unless it was type approved in accordance with Directive 2003/37/EC and had been issued with a Certificate of Conformity.

In accordance with the provisions of the Finance Act 2010, the basis on which VRT was charged was changed on 1 January 2011, from a system of vehicle categorisation used by Revenue since the introduction of VRT, to the system of classification used by vehicle manufacturers when declaring vehicles for type approval purposes in Europe. While the new system did not have any impact on the rate of VRT charged on tractors nor on the registration pro-

cedures relating to tractors, it did, among other things facilitate the registration process in the State and in particular, the compliance with EU Directives in relation to registration.

From 28 March 2010, the Commissioners introduced an initiative that facilitated the registration of used vehicles by authorised traders. This initiative allowed authorised traders to have a pre-registration examination carried out on vehicles in stock, long before a sale is agreed. Then, when at some later date one of these previously examined vehicles are sold, the authorised dealer could complete the registration process in his own premises and pay the vehicle registration tax due, through Revenue's On-line Service (ROS).

It was decided that because of these additional changes to the registration process, the waiver in relation to tractors would be extended to allow the changed procedures and practices to bed down and thus minimise the impact of the new registration obligations on the agricultural sector. This waiver is now scheduled to cease at the end of June 2011 and from then on, tractors, like all other mechanically propelled vehicles, will be obliged to undergo a pre-registration inspection before they are registered for use in the State. In the meantime, the relevant documentation relating to the tractor and the registered owner must be presented for examination at an NCT Centre. The Deputy should also note that in accordance with Section 48 of the Finance Act 2011, the VRT rate for certain vehicles, including tractors, will be increased from €50 to €200 on 1 May 2011.

Financial Services Regulation

67. **Deputy Willie O'Dea** asked the Minister for Finance his plans to establish a task force on the future of the financial services sector. [8277/11]

Minister for Finance (Deputy Michael Noonan): The Programme for Government sets out that the Government is committed to the future development of the International Financial Services Centre (IFSC) as a source of future employment growth subject to appropriate regulation. More than 32,000 people are directly employed in international financial services, in over 500 firms. Substantial indirect employment is also generated, and the sector contributes €2.1bn in corporate and payroll taxes to the Exchequer. Accounting for 10% of multinational employment, international financial services represents an estimated 7.4% of GDP, and 5% of EU international financial services activity is carried out from Ireland.

The fundamental goal of public policy in relation to the IFSC is to develop the international financial services industry in Ireland, built upon sustainable, responsible and internationally respected foundations, to maximise not only the number of jobs, but also the quality of employment and the future sustainability and growth prospects of the industry.

The Government believes that it is necessary to continue to adopt, articulate and implement a clear vision for the development of the IFSC to demonstrate Ireland's commitment to the promotion and growth of its international financial services industry. As part of this, work is underway on the preparation of a new strategic review for the development of the international financial services industry. Advancing the key recommendations of the Strategy through the structure of the IFSC Clearing House Group and other IFSC Working Groups will ensure that progress is advanced.

Proposed Legislation

68. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Finance his plans to introduce legislation to protect the interests of subcontractors; if he will ensure the inclusion of an effective exclusion from all public works tendering by contractors who have been shown to have

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failed to honour their commitments to contracts with subcontractors engaged by them; and if he will make a statement on the matter. [8328/11]

Minister for Finance (Deputy Michael Noonan): Under a public works contract the contractual relationship is between the public body and the main contractor. A public body has no contractual ties with a subcontractor engaged by a main contractor. Any contractual relationship is exclusively a matter between the main contractor and its sub-contractor. In addition, I would point out that public procurement rules are governed by EU Directives with which Irish procurement rules must comply. In this regard, the extent to which a tenderer can be automatically excluded from tendering for public works projects is confined to specified cases such as where convictions have been obtained or where grave professional misconduct can be proven.

However, the Deputy may be aware that the Construction Contracts Bill 2010 was introduced by Senator Feargal Quinn and passed Committee and remaining stages in the Seanad on 8 March 2011. The purpose of which is to help address the issue of non-payment to construction sector sub-contractors who have completed work on construction projects. I am now examining the Bill and will decide how best to proceed. It is important that a solution to the problem of non-payment must not place an unnecessary regulatory or cost burden on the parties to the dispute, other parties involved in the project, or the State. This Bill has moved to the Order Paper of the Dáil.

Tax Code

69. **Deputy Pádraig Mac Lochlainn** asked the Minister for Finance if he will engage with his counterpart in the UK Government to address the difficulties and ensure the speedy receipt of tax and family credits to workers who reside in a Border county but who work in the Six Counties. [8351/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that they have public offices in Sligo, Letterkenny, Monaghan and Dundalk that handle a range of queries including those relating to cross-border employments from Irish resident individuals. I am further advised that the majority of queries from Irish resident cross-border workers are relatively straightforward and are resolved without difficulty. Furthermore, the Revenue Commissioners advise that they are not aware of Irish resident cross-border workers experiencing the particular difficulties raised by the Deputy. However if the Deputy has details of individual cases of delays in the payment of tax and family credits administered by Her Majesty's Revenue and Customs, the taxpayers in question should be advised to contact their local HM Revenue and Customs office.

Local Authority Charges

70. **Deputy Áine Collins** asked the Minister for Finance when a decision will issue on a rates exemption application in respect of a person (details supplied). [8352/11]

Minister for Finance (Deputy Michael Noonan): The Commissioner of Valuation is independent in the exercise of his duties under the Valuation Act 2001 and I, as Minister for Finance, have no function in decisions in this regard. However, I am informed by the Valuation Office that they received an application to have a pre-school facility exempted from rates on the grounds that it is exclusively used under the Early Childhood Care and Education (ECCE) scheme to provide sessional places for 38 weeks of the year. The Commissioner has appointed a revision officer to examine the application in order to determine if it meets the qualification criteria for exemption.

The Revision Officer is considering the case and a decision is imminent. A notice of the decision will issue to the applicant, who, if dissatisfied with the decision, will have the right to make representations in respect of the proposed revision and will have 28 days to do so, from the date of issue of the certificate.

Departmental Reports

71. **Deputy Martin Ferris** asked the Minister for Finance if the report of the Special Group on Public Service Numbers and Expenditure Programmes on State assets and liabilities will be published or made available to Dáil Éireann. [8134/11]

Minister for Finance (Deputy Michael Noonan): I presume that the Deputy's question refers to the Report of the Review Group on State Assets and Liabilities. The Government intends to consider the Report this week and I expect that it will be published shortly thereafter.

72. **Deputy Martin Ferris** asked the Minister for Finance the proposals the report of the Special Group on Public Service Numbers and Expenditure Programmes on State assets and liabilities has made in respect of Coillte and land and forestry under Coillte control. [8135/11]

Minister for Finance (Deputy Michael Noonan): I presume that the Deputy's question refers to the recommendations in the Report of the Review Group on State Assets and Liabilities. The Government intends to consider the Report this week and I expect that its recommendations, including those with respect to Coillte, will be made public shortly thereafter.

Tax Reliefs

73. **Deputy Éamon Ó Cuív** asked the Minister for Finance his plans to include mortgage holders who took out mortgages in 2009 in any new proposals for mortgage interest relief on the basis that in parts of the country prices did not fall significantly until after 2009, that tracker mortgages were not available in 2009 and therefore mortgage holders had to take out dearer variable mortgages, that the banks have increased the rates on variable mortgages significantly since to cover the increase in the cost of money due to their own recklessness and to cover the loss on tracker mortgages; and if he will make a statement on the matter. [8157/11]

96. **Deputy Paschal Donohoe** asked the Minister for Finance his views on increasing the mortgage tax relief period from seven years to 14 for those who purchased their homes between 2004 and 2008; and if he will make a statement on the matter. [8522/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 73 and 96 together.

There is a commitment in the Programme for Government to help homeowners in distress to weather the recession. The Government will examine a number of proposals, outlined in the Programme for Government, in relation to this commitment. One of these proposals relates to making amendments to mortgage interest relief for homeowners in distress. When this proposal has been thoroughly examined and analysed and the findings and recommendations are presented to me, I will decide on the appropriate action to be taken. However, it is unlikely that any measures will be introduced before Budget 2012.

Departmental Staff

74. **Deputy Pearse Doherty** asked the Minister for Finance the number of persons in his Department who have applied for transfers to the social protection offices in Donegal town; if

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he will provide a detailed breakdown of the number of applicants; if he will provide a detailed breakdown of the time waiting; and if he will make a statement on the matter. [8167/11]

Minister for Finance (Deputy Michael Noonan): In respect of my Department, no applications for transfer to the Department of Social Protection Offices in Donegal were received.

Tax Collection

75. **Deputy Jack Wall** asked the Minister for Finance the position regarding an application for a P21 in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [8201/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that a PAYE Balancing Statement P21 for the year 2010 has recently issued to the person concerned.

76. **Deputy Jack Wall** asked the Minister for Finance the position regarding an application for a P21 for 2010 in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [8202/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that a PAYE Balancing Statement P21 for the year 2010 has recently issued to the person concerned.

Fiscal Policy

77. **Deputy Thomas P. Broughan** asked the Minister for Finance the size of the structural deficit in national budgets between 2006 and 2011; and if he will make a statement on the matter. [8224/11]

Minister for Finance (Deputy Michael Noonan): The latest published estimates of the structural deficit are presented in the table. These figures were compiled on the basis of economic and budgetary forecasts produced last autumn, and were published in graph format by my Department as an annex to the previous Government's national recovery plan.

Table 1: Structural Balance, % of GDP

	2006	2007	2008	2009	2010	2011
Headline GGB	+3.0	+0.2	-7.3	-11.9	-11.7	-9.2
Structural balance	+2.1	-1.6	-7.2	-9.2	-9.0	-7.9

Source: Department of Finance, The National Recovery Plan 2011-2014, Autumn 2010

I would point out to the Deputy that my Department is currently updating its economic and budgetary projections in the context of the Stability Programme Update, which will be published and submitted to the EU Commission at the end of April. Updated estimates of the structural balance will be published with this, incorporating changes in the methodology as appropriate. Estimates of the structural deficit are determined on the basis of the harmonized methodology, developed jointly by the EU Commission and the Member States, to decompose the headline deficit into its cyclical and structural components. This structural deficit, by definition, excludes all one-off measures, which in an Irish context are primarily composed of fiscal supports to the banking sector.

In practice, all estimates of the structural position are subject to considerable uncertainty, the sources of which have been outlined in previous Stability Programme Updates. Nevertheless, it is clear that a significant part of the deficit is structural in nature, and so will not be eliminated with economic recovery. Therefore, ongoing fiscal consolidation is required to adequately address the budget deficit and thereby put the public finances on a sustainable footing.

78. **Deputy Thomas P. Broughan** asked the Minister for Finance the amount of budget income spent on bank recapitalisation and interest payments in national budgets between 2008 and 2011; and if he will make a statement on the matter. [8225/11]

Minister for Finance (Deputy Michael Noonan): In relation to State support for the banking sector, in 2009 the Exchequer funded a €4 billion capital injection into Anglo Irish Bank. In 2009 also, the National Pensions Reserve Fund (NPRF) provided for the separate €3.5 billion recapitalisations of Allied Irish Banks (AIB) and Bank of Ireland (€7.0 billion in total). The 2010 one per cent of GNP Exchequer contribution to the NPRF was frontloaded into 2009 to assist with these recapitalisations.

In 2010, €25.3 billion was committed to be provided to Anglo Irish Bank by way of Promissory Note. The terms of the Promissory Note provides, inter alia, that 10 per cent shall be paid to the Note holder each year. The first such payment, amounting to €2.53 billion, was made to the institution in March 2011. There was no Exchequer expenditure associated with this Promissory Note in 2010.

In 2010, €5.3 billion was also committed to be provided to Irish Nationwide Building Society (INBS) by way of Promissory Note. Like the Anglo Note, the terms of the INBS Promissory Note also provides, inter alia, that 10 per cent shall be paid to the Note holder each year. The first such payment, amounting to €530 million, was made to the institution in March 2011. There was no Exchequer expenditure associated with this Promissory Note in 2010. The combined payment to Anglo Irish Bank and INBS in March 2011 was €3.06 billion and this sum is provided for in the end-March 2011 Exchequer Statement under Note 6 “*Non-Voted Capital Expenditure*”.

In 2010, €250 million was also committed to be provided to Educational Building Society (EBS) by way of Promissory Note. Payment of the original principal sum will be made in equal annual instalments of €25 million, beginning in June 2011. There was no Exchequer expenditure associated with this Promissory Note in 2010. In 2010 also, the NPRF injected a further €3.7 billion in capital into AIB. As this injection was sourced from the NPRF, it did not impact on Exchequer spending in 2010. Finally, in 2010, the Exchequer provided €625 million to EBS by way of a special investment share and €100 million to INBS by way of a special investment share. This method of investment gave the State extensive powers and full economic ownership of the two building societies.

As regards interest payments, Exchequer interest payments on the national debt amounted to €1.5 billion in 2008, €2.5 billion in 2009, and €4.1 billion in 2010. Budget 2011 projected that Exchequer interest costs on the national debt would total €4.2 billion in 2011, with an additional €0.6 billion in national debt interest expenditure being sourced from the Capital Services Redemption Account (CSRA), bringing total debt interest expenditure in 2011 to an estimated €4.8 billion at Budget time.

Exchequer debt interest costs in the first quarter of 2011 were €791 million. In addition, a further €577 million in interest expenditure from the CSRA was used to fund debt interest costs in the first quarter of 2011. The full debt interest cash cost (including CSRA) was therefore €1,368 million. My Department is in the process of revising its macroeconomic and fiscal

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forecasts, including debt interest projections, as part of the Stability Programme Update which must be submitted to the European Commission by the end of April.

Ministerial Staff

79. **Deputy Timmy Dooley** asked the Minister for Finance the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8242/11]

Minister for Finance (Deputy Michael Noonan): In my Department 4 people, detailed below, are assigned to work on constituency matters.

1 Personal Assistant

1 Executive Officer (EO)

2 Clerical Officers (CO)

My colleague, the Minister for Public Expenditure and Reform also has 4 people, detailed below, assigned to work on constituency matters.

1 Personal Secretary

1 Personal Assistant

2 Clerical Officers (CO)

Their roles require that they provide a range of duties associated with constituency matters for the relevant Minister.

Appointments to State Boards

80. **Deputy Timmy Dooley** asked the Minister for Finance the arrangements which have been made to advertise vacancies on State boards. [8250/11]

Minister for Finance (Deputy Michael Noonan): The Government has agreed that Departments will invite expressions of interest in vacancies on bodies under their aegis on their own websites.

Tax Code

81. **Deputy Michael McGrath** asked the Minister for Finance the expected reduction in VAT Exchequer receipts for the remainder of 2011, if the lower VAT rate is reduced from 13.5% to 12% from 1 July 2011; and the corresponding effect in VAT receipts for the full calendar year 2012 arising from the rate reduction. [8272/11]

Minister for Finance (Deputy Michael Noonan): The Government has committed in the Programme for Government, to lower the 13.5% reduced rate of VAT to 12% up to the end of 2013. It is estimated that a reduction of 1.5% in the reduced VAT rate with effect from 1 July 2011 would reduce Exchequer receipts for 2011 by €118m. The cost of reducing the rate to 12% in 2012, and in a full year, would be €353 million.

Banks Recapitalisation

82. **Deputy Willie O'Dea** asked the Minister for Finance his plans to pursue the objective of

obtaining a medium term affordable facility from the European Central Bank to replace emergency funding to Ireland's banks. [8278/11]

Minister for Finance (Deputy Michael Noonan): I would draw the Deputy's attention to the supportive statement issued by Governing Council of the ECB following the publication of the capital and liquidity assessments of the Irish banks on 31 March. The Council stated that the Eurosystem would continue to provide liquidity to banks in Ireland. In addition, the Council announced that it would accept securities under Irish Government guarantee irrespective of the credit rating. These positive moves by the ECB are a recognition of Ireland's efforts to deal with the banking crisis and clear evidence that the ECB's commitment is not merely short term. The issue of a more formal medium term arrangement will be kept under review.

Fiscal Policy

83. **Deputy Willie O'Dea** asked the Minister for Finance, in view of the fact that the International Monetary Fund has revised downward its estimate for growth in this country over the next three years and the EU is expected to do likewise, if further expenditure cuts or tax increases will be necessary to meet the target of reducing the budget deficit to 3% of GDP by 2015; and if he will make a statement on the matter. [8279/11]

Minister for Finance (Deputy Michael Noonan): I have noted that the IMF, in its most recent World Economic Outlook (WEO), has revised downwards its forecast for real GDP growth in Ireland to 0.5 per cent in 2011. I would point out, however, that there has been no change to the IMF's forecasts for 2012 and further out. It is normal that economic forecasts are reviewed from time to time as additional information becomes available. Indeed, there has been quite a significant economic data flow since the IMF published its previous set of forecasts in November. My own Department is currently in the process of updating its forecasts, which it will submit to the European Commission by end-April as part of the new EU Semester and as is the norm these forecasts will be published.

The Programme for Government indicated that it is appropriate to adhere to the aggregate budgetary adjustment for the combined period 2011-2012. In preparation for Budget 2013, we will review progress on deficit reduction, in terms of achieving the objective of reaching the 3 per cent of GDP deficit target by 2015. This is a sensible course of action given the current unusual degree of uncertainty surrounding the short and medium term economic growth outlook. The Government is firmly committed to meeting the 3 per cent of GDP deficit target and to implementing the necessary fiscal consolidation to ensure it is met. It is, however, too early to speculate on what measures might be needed in later years.

Banks Recapitalisation

84. **Deputy Willie O'Dea** asked the Minister for Finance if he will provide a breakdown of the €30 billion loans which he expects the recapitalised Irish banks to make over the next three years between small and medium enterprises, large corporations and mortgages. [8280/11]

Minister for Finance (Deputy Michael Noonan): The core pillar banks are expected to provide new lending in excess of €30 billion in the next 3 years. SME and new mortgage lending for these banks is expected to be in the range of €16-€20 billion over the 3 year period.

Mortgage Arrears

85. **Deputy Simon Harris** asked the Minister for Finance the procedures and protocols in

[Deputy Simon Harris.]

place to assist struggling mortgage holders to avoid home repossession; and if he will make a statement on the matter. [8288/11]

Minister for Finance (Deputy Michael Noonan): The Deputy will be aware that the Expert Group on Mortgage Arrears and Personal Debt produced two Reports, an Interim Report published in July 2010 and a Final Report published in November 2010. All of the Expert Group's recommendations are listed in Chapter 2 of the Final Report. They can be accessed at www.finance.gov.ie. Since the publication of the Reports, the Code of Conduct for Mortgage Arrears (CCMA) has been revised by the Central Bank to reflect many of the recommendations of the Expert Group, including key recommendations relating to the introduction by all regulated lenders of a standardised Mortgage Arrears Resolution Process (MARF). The most significant changes in the revised CCMA include:

Borrowers in arrears who co-operate with the Mortgage Arrears Resolution Process (MARF) are not charged penalty interest charges;

Harassment of borrowers through unsolicited communications is outlawed;

Borrowers in financial difficulties, but not in arrears, are allowed to come under the MARF; and

When a lender is determining the 12 month period it must wait before applying to the courts to commence legal action, it must *exclude* any time period during which a borrower is complying with the terms of an alternative repayment arrangement, making an appeal to the internal appeals Board or making a complaint to the Financial Services Ombudsman under the CCMA.

The revised CCMA was published on 6 December 2010 and came into effect on 1 January 2011. The revised CCMA can be accessed at www.centralbank.ie. Lenders are required to comply with the CCMA as a matter of law but have been given a period of six months grace ending on 30 June 2011 to put in place the requisite systems and training of staff necessary to support the implementation of the MARF. In addition, the Central Bank has also written to lenders to issue directions under Section 149 of the Consumer Credit Act 1995 which will mean that lenders cannot impose arrears charges or penalty interest on borrowers who are co-operating with the MARF.

The Deputy will also be aware of the existing importance of the Mortgage Interest Supplement (MIS) Scheme and the Money Advice and Budgeting Service (MABS) in assisting consumers who have fallen into arrears or who are experiencing difficulties servicing their mortgage repayments. The MIS Scheme currently supports approximately 18,000 mortgage-holders. The scheme has grown very substantially since 2007 when approximately 4,000 mortgage-holders were MIS recipients. MABS provides a national, free, confidential and independent service operating from 53 offices nationwide. Its resources have been increased in recent times and in 2010 it provided services to approximately 21,000 clients while it also assisted many thousands of citizens through its telephone helpline service.

86. Deputy Michael McGrath asked the Minister for Finance if he will provide details of the financial institutions which are currently implementing the recommendation of a deferred interest scheme as set out by the expert group on mortgage arrears and personal debt; and if he will make a statement on the matter. [8374/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank has advised me that the following lenders have notified the Bank of their intention to implement the recommendation of a Deferred Interest Scheme (DIS), as set out in the final report of the Expert Group on Mortgage Arrears and Personal Debt:

Allied Irish Banks,
AIB Mortgage Bank,
Bank of Ireland,
ICS Building Society,
EBS,
Haven Mortgages,
Irish Nationwide Building Society,
Permanent TSB,
Springboard Mortgages
Start Mortgages.

As at the end of December 2010, these named institutions held a market share of approximately 65% of the value of outstanding owner-occupier mortgages in the State. The date at which lenders will be in a position to offer a DIS to borrowers varies. Some institutions expect to be in a position to offer the scheme by the middle of 2011.

Banks Recapitalisation

87. **Deputy Michael McGrath** asked the Minister for Finance if the recent bank stress tests involved an examination, on a sample basis, of the actual documentation underpinning individual commercial loans. [8375/11]

Minister for Finance (Deputy Michael Noonan): The bank stress testing exercise, the results of which were announced by the Central Bank of Ireland on 31 March last, did include a detailed review of loan files on an appropriate sampling basis. As the Deputy will be aware, the Financial Measures Programme (“FMP”) announced on 31 March 2011 included an independent loan loss assessment exercise performed by BlackRock Solutions (“BlackRock”), the results of which have informed the calculation of capital requirements for AIB, Bank of Ireland, EBS and ILP under the PCAR.

BlackRock performed a comprehensive review of the loan portfolios of the PCAR banks, with the assistance of a number of accountancy firms, legal firms, and credit experts. The Central Bank also appointed The Boston Consulting Group, an international consultancy firm, to provide oversight and challenge to BlackRock’s work and to ensure consistency across institutions and portfolios. To perform the loan loss assessment, loss models were custom-built for the banks’ portfolios as of 31 December 2010. A data integrity and verification exercise was performed to ensure robust outputs from the loan loss assessment models. The accountancy firms, hired by BlackRock, carried out four specific activities including a loan file sampling and testing.

A detailed and comprehensive review of asset quality was carried out as part of the PCAR exercise. BlackRock and its subcontractors conducted in-depth assessments of loan portfolios

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by reviewing loan files and, in some cases, work-out capacity. By examining and reviewing loan files, a more accurate assessment of the value of the underlying collateral was possible, enabling a refinement of loan loss assessment assumptions. The loan file reviews focused on large loans and impaired assets. The number of files sampled varied across portfolios and banks but was sufficiently large to allow BlackRock to elicit qualitative and quantitative findings that were subsequently incorporated into their loan loss assessments.

In relation to corporate lending BlackRock loan loss assessments were based on a combination of manual loan file reviews and a more statistical probability of default/loss given default approach. These detailed manual file reviews covered 75% (by value) of loans of over €50 million and involved a full, fundamental reassessment of the loan. The results of the review informed forecasting assumptions for the remaining portfolio.

BlackRock also performed a bottom-up analysis on the larger facility exposures (≈20% of the portfolio) with a view to achieving maximum risk-based coverage. The rest of the portfolio was modelled where data permitted. As with corporate loans, BlackRock performed detailed manual file reviews for 75% by value of Commercial Real Estate loans over €50 million. An additional 200 individual CRE loans were also reviewed.

Mortgage Arrears

88. **Deputy Michael McGrath** asked the Minister for Finance his views on Allied Irish Banks proposal to write off certain stressed residential mortgage loans; and if he will make a statement on the matter. [8376/11]

Minister for Finance (Deputy Michael Noonan): I note that the Chairman of AIB has said that they are internally examining a number of measures including intergenerational mortgages and partial write off of the mortgage where the bank takes an equity share in the house. However, AIB will require the approval of the Central Bank and the Government before any of these measures are brought into effect. In assessing the suitability of any new measures three considerations will be taken into account. Firstly, any new measures should only be available to those who have genuinely tried everything to meet their obligations. Secondly, any assistance to mortgage holders must be very carefully targeted to ensure that there are no additional unnecessary costs being imposed on the tax payer. Thirdly, as a scheme open to everyone would be completely unaffordable, it would be necessary to ensure that appropriate limits with respect to costs are clearly set out and adhered to.

It should be remembered that most people are paying their mortgages in full and on time. In previous periods of difficulty, defaults on mortgages were few and today, almost three years into the financial crisis, we see very few reposessions.

Tax Collection

89. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare has received all tax back due; and if he will make a statement on the matter. [8411/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that PAYE Balancing Statements (forms P21) for the years 2007 to 2010 will issue to the person concerned shortly. Additional information has been requested from the person concerned regarding their income for 2011. On receipt of this information a review will be carried out for 2011.

Departmental Properties

90. **Deputy Brendan Griffin** asked the Minister for Finance when the Office of Public Works will be in a position to transfer land to Kerry County Council for the provision of Derrynane Abbey Island burial ground; and if he will make a statement on the matter. [8433/11]

Minister of State at the Department of Finance (Deputy Brian Hayes): The Office of Public Works is continuing to progress this matter, and hopes to meet, in the immediate future, with officials from Kerry County Council in order to expedite this matter.

Tax Code

91. **Deputy Martin Ferris** asked the Minister for Finance if there will be an increase in import duty on motor vehicles. [8437/11]

Minister for Finance (Deputy Michael Noonan): As there is no import duty applied to motor vehicles, I take the Deputy to mean the vehicle registration tax (VRT) payable on first registration of both new vehicles, and second hand vehicles which are imported into Ireland. I have no plans at present to immediately increase VRT.

Tax Collection

92. **Deputy Pearse Doherty** asked the Minister for Finance the amount that can be saved by the State if the number on the live register falls to an average of 405,000 in 2011 in terms of average taxation receipts if these persons were to go into employment at the average industrial wage; and if he will make a statement on the matter. [8449/11]

Minister for Finance (Deputy Michael Noonan): As an individual's income tax contribution is based on a number of unique factors such as their taxable income and personal circumstances, it is not possible to state with absolute confidence the effect that a decrease in live register figures would have on the total labour taxes yield. Having said that, it is possible to make an estimate on the basis of reasonable, if somewhat stylised, set of assumptions.

The average tax, employee PRSI, employer PRSI and Universal Social Charge yield per annum for an individual earning the average industrial wage is €8,023. This is approximately €8 million per 1,000 employees per annum. The following assumptions were made:

- The average industrial wage for 2010 of €32,089 is based on Quarter 1 weekly figures from CSO Earnings Hours and Employment Costs Survey for production, transport, craft and other manual workers grossed up;
- The breakdown by marital status broadly follows the economy wide breakdown in 2010;
- The yield is based on a full calendar year.

No account was taken for:

- Employees' pension contributions or other salary sacrifice arrangements
- Minor tax credits or income tax reliefs such as health expenses relief, rent relief, trade union subscriptions.

EU-IMF Fund

93. **Deputy Peter Mathews** asked the Minister for Finance the amount of money drawn down

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from the International Monetary Fund denominated in special drawing rights; the amount of annual interest charged on this money denominated in SDRs; the date by which this money must be repaid to the IMF; and if he will make a statement on the matter. [8499/11]

94. **Deputy Peter Mathews** asked the Minister for Finance if borrowings from the International Monetary Fund will be repaid in euro or in special drawing rights; if they are being repaid in SDRs if the National Treasury Management Agency has purchased currency forwards to reduce the Exchequer's risk to currency fluctuations; and if so the price of the currency forwards purchased; and if he will make a statement on the matter. [8500/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 93 and 94 together.

The first drawdown of IMF funds under the Programme took place on 18 January 2011. The amount was SDR 5,012,425,200, equivalent to some €5.8 billion at the time of drawdown. All funds drawn from the IMF under the Programme will be repaid by a series of twelve equal semi-annual capital repayments, beginning 4.5 years after the drawdown and finishing on the tenth anniversary of the drawdown.

Interest will be paid quarterly at the IMF's standard interest applying to countries which draw on its Extended Fund Facility. This rate is set by reference to the IMF's basic rate of charge plus surcharges which vary based on the amount of funds drawn relative to a country's IMF quota and the duration for which funds are outstanding. The SDR interest rate is calculated weekly by the IMF with reference to financial instruments of each component currency in the SDR basket, expressed as an equivalent annual bond yield: three-month Euro rate; three-month Japanese Treasury Discount bills; three-month UK Treasury bills; and three-month US Treasury bills. Up to a threshold of three times a country's IMF quota, a margin of 1% over the SDR rate is payable. On all funds beyond that threshold, an additional margin of 2% is payable plus a further margin of 1% if the funds are outstanding for more than three years.

In view of this calculation method, the annual interest cost is variable and is also influenced by market related activities undertaken by the NTMA. The annual interest amount will be known with certainty when the full year interest payments have been made. Based on current market conditions, the NTMA has estimated an effective average annual cost of around 5.20% , taking into account quota revisions and the cost of hedging and assuming drawdown of the full €22.5 billion available from the IMF.

The IMF facility is denominated in special drawing rights. The SDR is a basket of four currencies, Euro, US Dollar, Sterling and Japanese Yen. The obligation is to repay SDRs, i.e. the value of the currency amounts in the SDR basket on the due dates. The details of which currencies will be used to effect the payment of the value of the SDR on each repayment date will be discussed with the IMF prior to the payment date. The NTMA has in place a programme to hedge its liabilities in respect of the non-euro currency component of the SDR borrowings from the IMF. Detailed pricing information is commercially sensitive and not disclosed by the NTMA.

Banks Recapitalisation

95. **Deputy Jerry Buttimer** asked the Minister for Finance the date on which the chairman of AIB plans to start the process of voluntary redundancies for the 2,000 staff in view of the recent announcement by the AIB group. [8513/11]

Minister for Finance (Deputy Michael Noonan): Detailed discussions on all aspects of these proposals – e.g. voluntary, compulsory, terms and conditions, duration, level, etc – will have to be undertaken with all relevant parties. The Government will treat all stakeholders, including the taxpayer, with respect and consideration in these discussions. However it is not possible to be precise on the details or timing at this stage. The initial thrust of any reduction in numbers, which is an inevitable consequence of the downsizing of the banks, will be, as always, to seek voluntary redundancies. The wider impact on other covered institutions, which have to embark on similar plans, will also need to be considered.

Question No. 96 answered with Question No. 73.

Pension Provisions

97. **Deputy Ciara Conway** asked the Minister for Finance when a decision will issue on the pensions insolvency payment scheme and the details of the same with respect to former workers of a company (details supplied); if former workers under the age of 50 years will be included in the scheme; and if he will make a statement on the matter. [8549/11]

Minister for Finance (Deputy Michael Noonan): The Statutory Instrument under the Social Welfare and Pensions Act 2009 giving effect to the Pensions Insolvency Payment Scheme (PIPS) was signed by the then Minister for Finance on the 18th January 2010 and came into operation from 1st February 2010. It is a pilot scheme and will be in operation for three years. I can confirm that an application to the Pension Insolvency Payment Scheme from the Waterford Wedgwood pension scheme trustees has been received and is under consideration. Discussions have taken place with the trustees and staff representatives about a number of aspects of the application. I hope to be in a position to respond to the application shortly.

The purpose of the PIPS scheme is to give a better return to those pension funds in deficit where the employer has also become insolvent. Once a pension scheme has applied, my Department requests the NTMA to quote a cost for providing annuities to existing pensioners. It is envisaged that the cost to the pension fund would be less than buying an annuity on the open market. The savings made from securing the pensioners benefits through the State rather than through an insurer should then be put towards the pensions for active and deferred members and will help reduce the shortfall in the scheme. In this way the PIPS scheme will benefit those who are not already on pension, irrespective of age.

Mortgage Arrears

98. **Deputy Terence Flanagan** asked the Minister for Finance his views on a matter regarding negative equity mortgages (details supplied); and if he will make a statement on the matter. [8580/11]

Minister for Finance (Deputy Michael Noonan): The Final Report of the Expert Group on Mortgage Arrears and Personal Debt contained the following recommendation: *“The Group notes that, for some mortgage holders who are in negative equity, trading down would produce a reduction in mortgage debt and more affordable monthly payments. The Group recommends that further consideration should be given by lenders to facilitating trading down by borrowers in this situation. Such options would have to meet relevant prudential standards, with appropriate controls in place, and be in the customers’ best interest.”*

Trading down means selling a current property and buying a cheaper one. Trading down may be an option to reduce the level of mortgage repayments, resulting in more affordable monthly repayments. This recommendation is aimed at helping mortgage holders remain as

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home owners while reducing their level of repayments. There will also be situations where mortgage holders in negative equity may wish to move home, for example, to take up new employment opportunities. There is merit in facilitating house moves by those in negative equity in certain situations and subject to certain criteria set down by the Central Bank.

Ultimately, these are matters for lenders and the Central Bank to decide upon. Any lender planning to provide a negative equity type product must notify the Central Bank in advance to ensure that appropriate measures and controls are taken as the Central Bank must be satisfied that such a product meets relevant prudential standards and does not lead to consumers being over exposed.

Education and Training Programmes

99. **Deputy Willie O'Dea** asked the Minister for Education and Skills the date on which the new graduate and apprentice internship scheme will be established. [8276/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government contains proposals to support a Jobs Initiative which will provide additional places in training, work experience and educational opportunities for those who are out of work. This will include an Internship Scheme which will be under the remit of the Department of Social Protection. Further details regarding the Jobs Initiative and an Internship Scheme will be announced shortly by the Government.

Special Educational Needs

100. **Deputy Peter Mathews** asked the Minister for Education and Skills his plans to make a start on the implementation of the 2001 Government task force report on autism; and if he will make a statement on the matter. [8148/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Deputy will be aware that in its October 2001 report, the Task Force on Autism made many recommendations concerning broad educational provision for children on the autistic spectrum from pre-school through to third level. I am pleased to advise the Deputy that these recommendations have provided a basis for the development of educational services and supports for children with autism including the establishment of a range of options for children with autism spectrum disorders, training for teachers in autism-specific approaches and interventions and early educational intervention. In responding to the recommendations, my Department has given priority to implementing the core legislative and structural measures required to underpin service development and delivery.

My Department's policy is focused on ensuring that all children including those with autism can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils.

As each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met. For example some children may be supported in a special class attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils. Other children may have such complex needs that they are best placed in a special school. Students with special educational needs have access to a range of support services including additional teaching and/or care supports. In special schools and special classes, students are supported through

lower pupil teacher ratios. Special needs assistants may also be recruited specifically where pupils with disabilities and significant care needs are enrolled.

Reflective of the important role of continuing professional development and as recommended by the Task Force on Autism my Department has put in place a training programme for teachers in autism-specific interventions including Treatment and Education of Autistic Communication Handicapped Children (TEACCH), Picture Exchange Communications System (PECS) and Applied Behaviour Analysis (ABA) through the Special Education Support Service.

Foireann Scoile

101. **D'fhiafraigh Deputy Éamon Ó Cuív** den Aire Oideachais agus Scileanna cé mhéid scoil i ngach contae nach bhfuil ann ach príomhoide mar mhúinteoir ranga; cé mhéid scoil i ngach contae nach bhfuil de mhúinteoirí ranga ann ach príomhoide agus cúntóir amháin; cad iad ainmneacha na scoileanna sin agus an uimhir rolla agus líon na scoláirí i ngach scoil acu; agus an ndéanfaidh sé ráiteas ina thaobh. [8153/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Áiríonn Rannán na Staitisticí ar shuíomh gréasáin mo Roinne eolas forleathan a bhaineann le rollúcháin daltaí, méideanna na ranganna, méideanna na scoileanna agus an líon múinteoirí. Baineann na figiúirí is déanaí a foilsíodh leis an scoilbhliain 2009/10. Tá eolas staitisticúil i leith na scoilbhliana 2010/11 in úd a fhoilsithe i Meán Fómhair 2011.

Special Educational Needs

102. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if there is a timeline for the review of the allocation of special needs assistants hours currently under way between him and the National Council for Special Education; the length of time the current pause on sanctioning additional resource teaching support hours will be in place; his plans for the academic year 2011-12 with regard to SNA support in schools; and if he will make a statement on the matter. [8173/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOS) for allocating resource teachers and SNAs to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

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 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. The NCSE asked schools to submit all applications for SNA support to them by 18th March, 2011 and intend to inform schools of their annual SNA allocation as soon as possible, in advance of the coming school year.

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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.

In respect of the allocation of Resource Teaching hours, the Department of Education and Skills (DES) is required to ensure that the overall allocation of teaching posts does not exceed the targets set out in the Government's Employment Control Framework. The DES had planned for a certain amount of increased growth in teacher numbers across the school sector in 2011, in line with increased demographic growth. In respect of resource teaching hours for children with special educational needs, allowance was made for growth in 2011 over and above normal demographic increase levels. In 2010 the total number of Whole Time Equivalent (WTE) posts provided for resource hours teaching (including under the General Allocation Model) was approximately 9,600 WTE posts. By comparison approximately 9,950 WTE posts are provided for 2011. There has therefore not been a reduction in the overall number of resource hours/posts being provided for in 2011.

The DES requested the National Council for Special Education (NCSE) to provide data on the numbers and rate of application for additional resource teaching hours to date this year so that this information can be considered in the context of the Department's Employment Control Framework obligations. The NCSE has also been asked to pause sanctioning additional resource teaching support hours to allow for collection and consideration of this data by the DES, in conjunction with the NCSE. It should be noted that this is a temporary suspension of the allocation process in order to allow for consideration and analysis of this issue prior to any decisions being made.

The NCSE has issued a Circular to schools advising them that the final date for schools to submit any outstanding, completed, applications for resource teaching supports is 13th May 2011. On receipt of all outstanding applications the DES and NCSE will be in a position to consider resource allocation for the coming school year, in the context of the Department's Employment Control Framework obligations. Schools will be notified of their allocations as soon as possible. In the interim, children who are eligible for resource/ learning support teaching can receive this tuition through the existing learning support provision in schools, either through the General Allocation Model or existing Learning Support provision.

School Staffing

103. **Deputy John Deasy** asked the Minister for Education and Skills if he will provide details of the qualifying criteria which will enable secondary schools to qualify for additional teacher equivalent units; his plans to introduce a review system to allow schools to make their own individual case pertaining to their circumstances; and if he will make a statement on the matter. [8176/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Teacher allocations to all second level schools are approved annually by my Department in accordance with established rules based on recognised pupil enrolment. In accordance with these rules each school management authority is required to organise its subject options within the limit of its approved teacher allocation. The deployment of teaching staff in the school, the range of subjects offered and ultimately the quality of teaching and learning are in the first instance a matter for the school management authorities. The criteria for the allocation of teaching posts at post-primary level,

including the appeals mechanism, is published on my Department's website at www.education.ie.

Teaching Qualifications

104. **Deputy Joe McHugh** asked the Minister for Education and Skills his plans to enable an organisation (details supplied) to conduct accredited courses in post-primary education; and if he will make a statement on the matter. [8187/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Teaching Council has statutory responsibility under the Teaching Council Act, 2001 (Section 38) to review and accredit programmes of initial teacher education in Ireland. The Council is independent in carrying out assessments of such programmes and my Department has no role in the matter. I am informed by the Council that the organisation to which the Deputy refers has submitted a Post Graduate Diploma in Education (Post-primary) programme to the Teaching Council for accreditation. The process of review is at an advanced stage and it is hoped that the Council will be in a position to consider the review outcome shortly.

School Curriculum

105. **Deputy Peter Mathews** asked the Minister for Education and Skills the funding or grants available for teaching music in primary schools as part of the curriculum; and if he will make a statement on the matter. [8199/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Music is a core part of the arts curriculum in all classes in all primary schools and comprises listening and responding, performing and composing activities. A revised primary curriculum in Music was introduced in 2005, supported by a national programme of professional development for teachers. I am very aware of the excellent work being done by schools using music as a key vehicle to promote inclusion and effective learning. As with other areas of the curriculum, the operational costs of providing music in the curriculum are funded from the capitation grants paid to schools. There are no additional grants for this purpose.

Schools in DEIS and School Completion Projects are provided with additional funding and have discretion as to how best to spend these funds within a framework of guidelines set out by my Department. The guidelines provide that funding may be used on initiatives to support retention, supporting and engaging parents and the wider community, co-operation with the youth sector, promoting cross curricular literacy initiatives, music, dance, drama, and promoting social, sport and leisure activities which impact on children's learning. Music education projects fall well within the parameters of what can be funded under DEIS and the School Completion Programme.

National Schools receive an Ancillary services grant of €147 per pupil plus a capitation grant of €190 per pupil; the grants are based on school enrolments on the 30th September. Post-primary schools receive school services grant of €201 per pupil plus capitation grant of €328 per pupil. Enhanced capitation of €14.07 million (€10.767million at primary level & €3.302 million at post primary level) was allocated to DEIS schools in the current school year, ranging from €500 to €96,000 at primary level and €1,300 to €56,000 at post primary level. The calculation of this enhanced capitation is based on the enrolment of the school and its level of educational disadvantage relative to other schools. Guidelines issue to schools on how this additional funding should be utilised.

Other than the additional resources available through DEIS and the School Completion Programme to schools designated as disadvantaged, my Department is not in a position at this

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time to provide additional funding to support additional Music provision in primary schools. However, a partnership between U2, Music Network, the International Funds for Ireland and the education sector is enabling a series of music education partnerships to be established around the country on a phased basis to provide vocal and instrumental music tuition for young people. The initiative was made possible by a donation of €5m from U2, and a commitment from the Ireland Funds to raise €2m. These contributions will fund the initiative in the early years of development, with the intention that programmes will be continued into the future with Exchequer funding when the donations cease.

The initiative is being managed by a company called Music Generation (www.musicgeneration.ie). A call for proposals was issued on 17 January 2011 seeking applications from local Music Education Partnerships across the country who wish to apply for funding. Music Generation aims to help children and young people to access music education in their own locality. The focus is on co-ordinated area-based provision as part of a partnership, not on funding for individual schools.

Funding for up to twelve Music Education Partnerships will be awarded by Music Generation on a phased basis from 2011-2015, most likely in three locations at a time. Music Education Partnerships are eligible to apply for 50% funding, up to a maximum of €200,000 per annum over three years. The closing date for Round 1 applications was March 31st, 2011, but there will be further rounds of the initiative each year until 12 partnerships are established. The lead partner in the Music Education Partnership must be a statutory agency.

The provision of music in the school curriculum, supplemented by an expanding network of music education partnerships, and the provision of some 68,000 hours of music tuition provided in certain locations in the form of co-operation hours through the VEC system, allied with flexible funds for DEIS and School Completion Programme schools together form part of the strategy to widen access to music education for young people in the period ahead.

Adult Literacy

106. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will detail the direct funding provided for adult literacy initiatives in 1997 and in 2010; and the number of persons participating in State-funded adult literacy courses in each of those years. [8208/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): My Department provides funds to Vocational Education Committees (VECs) which deliver adult literacy services. That funding has increased from €1 million in 1997 to €30 million in 2010. The number of adult literacy participants that received tuition increased from 5,000 to 50,000 in the same period.

Psychological Service

107. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will detail the number of full-time equivalent educational psychologists employed in the 1996/97 school year and in the current school year; and the number of pupils receiving an assessment in each of those years. [8209/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can inform the Deputy that all primary and post-primary schools have access to psychological assessments either directly through my Department's National Educational Psychological Service (NEPS) or through the Scheme for Commissioning Psychological Assessments (SCPA). Schools that do not currently have NEPS psychologists assigned to them may avail of the SCPA, whereby the school can

have an assessment carried out by a member of the panel of private psychologists approved and paid for by NEPS.

By way of background, NEPS, in common with many other psychological services and best international practice, has adopted a consultative model of service. The focus is on empowering teachers to intervene effectively with pupils whose special needs range from mild to severe and transient to enduring. Psychologists use a problem solving and solution focused consultative approach to maximize positive outcomes for these pupils. NEPS encourages schools to use a continuum based assessment and intervention process whereby each school takes responsibility for initial assessment, educational planning and remedial intervention for pupils with learning, emotional or behavioural difficulties.

Teachers may consult their NEPS psychologist should they need to at this stage in the process. Only in the event of a failure to make reasonable progress, in spite of the school's best efforts in consultation with NEPS, will the psychologist become involved with an individual child for intensive intervention. This system allows psychologists to give early attention to urgent cases and also to help many more children indirectly than could be seen individually. It also ensures that children are not referred unnecessarily for psychological intervention.

Prior to 1999 an educational psychology service was provided to schools by Inspectors of Guidance & Counselling as part of my Department's Inspectorate Division. In 1995/96 some 4 whole-time equivalent (w.t.e.) Senior Inspectors and 35.5 w.t.e Inspectors were employed in this capacity. It is not known how many assessments would have been undertaken by these officers in 1995/96 but the focus of the service and the context in which it operated was essentially different to that which pertains currently with particular attention being paid to the support of guidance counsellors in post-primary school and a more limited engagement with primary schools.

NEPS was established in 1999 and currently NEPS employs 174 (167.3 w.t.e.) psychologists at Director, Regional Director, Senior Psychologist and Psychologist grades. The figures for the number of named pupils referred to the service in the current year are not yet available as such referrals are still ongoing. In the previous academic year some 7,888 referrals were undertaken by NEPS 149.4 w.t.e. psychologists and an additional 2,400 referrals catered for under the SCPA referred to previously. Additionally NEPS psychologists offer general advice and guidance on unnamed pupils and it is estimated that a further 7,500 pupils would have so benefitted from this input in that year. NEPS psychologists also made recommendations on applications from some 4,100 students under the Reasonable Accommodation for Certificate Examinations on behalf of the State Examinations Commission and assisted in almost 100 critical incidents (instances of trauma connected with schools) at the behest of school authorities.

Adult Literacy

108. **Deputy Brendan Smith** asked the Minister for Education and Skills the surveys that have been carried out on adult literacy rates since the major report published in 1997 and his plans in this regard. [8210/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The last major survey of adult literacy in Ireland was the survey referred to by the Deputy — the OECD International Adult Literacy Survey (IALS) which was carried out in 1995 and published in 1997. My Department is funding Ireland's participation in a new international adult literacy survey — the Programme for the International Assessment of Adult Competencies (PIAAC). PIAAC is being organised by the OECD and is being administered in Ireland by

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the Central Statistics Office (CSO). The survey is scheduled to be conducted in August 2011 and results are expected to be published in 2013.

PIAAC involves surveying adults (between the ages of 16-64) in their homes on a range of skills covering the interest, attitude and capacity of individual adults to access, manage, understand, integrate and evaluate various types of information (principally text and numerical) as well as to respond and communicate with others in the information age. It will focus on the key cognitive and workplace skills that are required for successful participation in the economy and society of the 21st century.

School Staffing

109. **Deputy Pearse Doherty** asked the Minister for Education and Skills the criteria issued to boards of management in relation to the filling of temporary teaching posts in schools; and if he will make a statement on the matter. [8212/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I assume the Deputy is referring to Circular 19/2011 which commences the redeployment process for surplus permanent teachers at primary level. This circular, which is available on my Department's website, sets out the detailed arrangements for the operation of the redeployment process. The process of allocating teaching resources to schools for 2011/2012 and the arrangements for filling vacant or new teaching posts, including temporary posts, takes place in the context of the EU/IMF Programme of Support for Ireland and the Public Service Agreement 2010/2014.

It is necessary for my Department to exercise additional control and reporting measures this year to ensure that the numbers of teachers employed in schools is consistent with the EU/IMF Programme of Support for Ireland. This requires that all permanent and fixed term positions are in the first instance made available to those surplus teachers with either permanent contracts or contracts of indefinite duration. It is the intention of the Department to restore recruitment from fixed-term teachers on the main panels, supplementary panels or public advertisement at the earliest possible opportunity, after all the surplus permanent teachers have been redeployed.

Ministerial Staff

110. **Deputy Timmy Dooley** asked the Minister for Education and Skills the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8239/11]

Minister for Education and Skills (Deputy Ruairí Quinn): At a Government meeting held on the 15th March, 2011, it was decided to reduce the number of staff permitted at Ministers' constituency offices from 6 to 4 and Minister of State's constituency offices from 5 to 3. There are currently 2 officers in my Constituency Office. Their grades are as follows: 1 Higher Executive Officer; 1 Staff Officer. There is currently 1 (0.8 full time equivalent) officer, at Staff Officer grade, in the Constituency Office of the Minister of State at my Department. The duties of the above staff, who are all civil servants, are appropriate to their grade. Further appointments will be in accordance with the above Government Decision.

Company Closures

111. **Deputy Noel Grealish** asked the Minister for Education and Skills the position regarding unpaid subcontractors who were working on a project under a company (details supplied) which has gone into receivership; if any funds have been made available to the university, which

were not handed over to this company; if this will be made available to pay subcontractors; and if he will make a statement on the matter. [8296/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In the period prior to the appointment of the Receiver in this case, the University in question discharged all of its financial responsibilities under its contract with the main contractor directly to the contractor as normal. Any monies now owed by the main contractor to sub contractors fall to be addressed by the Receiver. In these circumstances, the University is unable to assist the sub contractors other than to advise that they contact the Receiver directly in these matters.

Schools Building Projects

112. **Deputy Noel Grealish** asked the Minister for Education and Skills the position regarding an application under the school building programme by a school (details supplied) in County Galway; and if he will make a statement on the matter. [8297/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The brief for the building project to which the Deputy refers was revised in 2007 from an extension/refurbishment of existing accommodation to one intended to provide two new schools on the existing site. The Deputy will note that this project was not included in the 2011 school building work programme announced 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.

FÁS Training Programmes

113. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will describe and explain a process (details supplied); and if he will make a statement on the matter. [8311/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The new system of tendering for FÁS courses will require registration on a Contracted Training Tender List (CTTL). All training providers, including those currently on the CTTL, who wish to register on the CTTL will have to meet the requirements of a new pre-qualification process which will be managed by the FÁS Procurement Department in conjunction with the FÁS Training, Policy & Development Services (TPDS) Division.

FÁS Procurement Department will shortly advertise on the Government e-tender website seeking expressions of interest from qualified training providers to form part of a panel. FÁS may add to this panel at regular intervals. This panel will form the basis of the CTTL. Providers may apply for multiple regions and several training domains. The outcome of the pre-qualification exercise will be a list of valid providers that are qualified to deliver training on behalf of FÁS by domain and region, for example forklift driving in Letterkenny, ECDL in Tralee. All successful applicants will receive a document detailing the rules which will be developed by the Training, Policy & Development Services (TPDS) Division. They will also be invited to attend a briefing session where operational procedures and other required information will be disseminated. All providers must agree to operate within these parameters before they are awarded any contract.

Every training course required by individual FÁS Regions will be procured by requesting tenders from randomly selected eligible suppliers on the CTTL panel. Tender returns will be scored using a MEAT (Most Economical Advantageous Tender) process. The highest scoring tenderer will be offered the contract where the conditions of the contract are met. All contrac-

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tors on the list will receive an opportunity to tender before any contractor will be requested to tender a second time.

School Staffing

114. **Deputy Joe McHugh** asked the Minister for Education and Skills the position regarding the status of a person (details supplied); and if he will make a statement on the matter. [8313/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In accordance with the Education Act 1998, teachers are employed by the management authority of each individual school. Accordingly, a teacher's status/position in a school is a matter for the management authority concerned. The sick leave scheme for teachers is the subject of a collective agreement reached at the Teachers' Conciliation Council and the terms are set out in Circular Letter 0060/2010.

School Text Books

115. **Deputy Clare Daly** asked the Minister for Education and Skills if his attention has been drawn to high mark-up on the prices of school books here, which add further financial burden to parents putting children through school; if his further attention has been drawn to the fact that awarding of licences to several big publishing companies contributes to this situation; and if he will examine this issue. [8338/11]

Minister for Education and Skills (Deputy Ruairí Quinn): 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, which is determined on a commercial basis by the educational publishers who commission them. I can also confirm that my Department does not administer any licensing scheme, and I am unaware of any licensing scheme run by any other Department.

My Department intends to issue funding to primary schools in April and to 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.

School Placement

116. **Deputy John Lyons** asked the Minister for Education and Skills if it will be possible for a person (details supplied) in Dublin 11 to be allowed to finish the second year of their leaver's programme at a school; and if he will make a statement on the matter. [8342/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that my Department has recently written to all Special Schools to advise them that it will consider requests from school authorities who wish to retain students who are over 18 years of age, for

an extra school year, in circumstances where they are following courses leading to accreditation at a level of FETAC 3 or above. As such, I would ask the Deputy to advise the parents of the pupil in question to raise the issue of extension of enrolment directly with the school authorities, so that they might make an application to retain the student to my Department, who will consider such a request in accordance with the criteria outlined above.

School Transport

117. **Deputy Jim Daly** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Cork which serves the educational needs of a minority community which will be curtailed by the proposed reduction in the minimum numbers required for school transport service with the loss of two bus routes currently serving the school. [8355/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to the school transport scheme were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the recently published Value for Money Review of the scheme. From the beginning of the 2011/12 school year, services under the minimum numbers, either single services or which are part of double tripping arrangements, will be discontinued. A pick up density of 10 eligible pupils in a distinct locality on a particular route will be required to establish or retain services.

The details of the routes and the number of buses required will only be finalised later this year when applications/payments/exemptions have been processed by Bus Éireann. As is currently the case, where an eligible pupil cannot avail of a service, eligible families can apply for the transport grant (traditionally called the remote area grant) which is payable based on distance travelled up to a maximum of 9.7 kilometres. Given the major financial constraints facing the country, I cannot reverse the changes to school transport as announced by the previous government in Budget 2011. We all have to understand the legacy of economic mismanagement which the last Government gave to the country.

School Staffing

118. **Deputy Ciara Conway** asked the Minister for Education and Skills the position regarding incremental credit rights in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [8360/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The scheme of incremental credit for primary teachers is the subject of a collective agreement reached at Teachers' Conciliation Council and the terms are set out in Circular letter 10/2001. The application for incremental credit submitted by the person referred to by the Deputy was for service given in a private institution outside the European Union. The school in which the service was given did not offer a range of studies incorporating all of the courses prescribed on the national curriculum of the country in which it was located. The service given did not, therefore, meet the criteria of the scheme. The person concerned was notified in writing of my Department's decision on the 13 December 2010.

Schools Refurbishment

119. **Deputy Sean Fleming** asked the Minister for Education and Skills if a school (details supplied) in County Carlow will be approved under the summer works scheme; when announcements on this matter are expected; and if he will make a statement on the matter. [8398/11]

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 this year 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.

Educational Disadvantage

120. **Deputy Dara Calleary** asked the Minister for Education and Skills when he will publish the review of delivering equality and opportunity in schools; and if he will make a statement on the matter. [8424/11]

121. **Deputy Dara Calleary** asked the Minister for Education and Skills if he will support changes to the delivering equality and opportunity in schools programme in order that it takes into account rural disadvantage as much as urban disadvantage; and if he will make a statement on the matter. [8425/11]

122. **Deputy Dara Calleary** asked the Minister for Education and Skills if he will support changes to delivering equality and opportunity in schools programmes in order that the money follows disadvantaged students as opposed to disadvantaged schools; and if he will make a statement on the matter. [8426/11]

123. **Deputy Dara Calleary** asked the Minister for Education and Skills the current weaknesses he perceives in the delivering equality and opportunity in schools programme; and if he will make a statement on the matter. [8427/11]

124. **Deputy Dara Calleary** asked the Minister for Education and Skills the number of voluntary schools currently under the delivering equality and opportunity in schools programme; the number of vocational education committee schools under the delivering equality and opportunity in schools programme; and if he will make a statement on the matter. [8428/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 120 to 124, inclusive, together.

DEIS (Delivering Equality of Opportunity in Schools), the action plan for Educational Inclusion was launched on 30 May 2005 and has been rolled out on a phased basis – commencing during the school year 2005/2006. The action plan provides for a standardised system for identifying levels of disadvantage and an integrated School Support Programme (SSP). The process of identifying primary and second-level schools for participation in DEIS was managed externally by the Educational Research Centre (ERC) on behalf of my Department and was supported by quality assurance work, co-ordinated through the Department's regional offices and the Inspectorate. The identification process was also supported by an Advisory Group which included representatives of the INTO and the Irish Primary Principals' Network.

A comprehensive evaluation of DEIS has been underway since the roll out of supports commenced in 2006. The Department commissioned the Educational Research Centre to undertake this evaluation and a report of this evaluation from the ERC is expected shortly. This report is the second in a series of reports concerning the ERC's ongoing evaluation of DEIS. A previous evaluation report on DEIS focusing on rural disadvantage is available for download on the Educational Research Centre website (www.erc.ie). I envisage that the next report from the ERC will also be made available following consideration within my Department and by the representative Advisory Group.

The Department's Inspectorate has also conducted an evaluation of the implementation of DEIS in a number of primary and post primary schools. The report from this exercise is also expected in the near future. It is expected that these evaluations will clarify any potential weaknesses in the processes of selecting the participating schools, the configuration and merits of the support programme and in the implementation process.

Evidence strongly suggests that disadvantage associated with rural poverty does not have the same impact on educational achievement as is the case in the urban context. While urban and rural disadvantage share many characteristics, such as poverty, unemployment and poor housing conditions such disadvantage in a rural context does not have the same impact on educational performance. Evidence from the recent evaluation of DEIS rural primary schools found that children attending DEIS rural primary schools are performing almost at the national averages in literacy and numeracy. There is no evidence that additional teaching supports for these schools will make any meaningful difference to educational achievement. Nonetheless some 331 rural DEIS primary schools are supported with additional financial provision; access to the school meals programme; access to after-school and holiday programmes; access for teachers to a range of professional development programmes to assist in supporting the educational needs of children in these schools.

All publicly funded schools continue to be supported through the allocation of general and specifically targeted learning and resource supports at an overall cost exceeding some €600m. These supports are provided to address the learning needs of those who are identified as requiring additional supports. There is no evidence to support a case that DEIS related supports should be provided to schools with few disadvantaged children. While such children may suffer poverty or social disadvantage, this does not automatically translate as achievement disadvantage and where it does it should be addressed through the learning and resource supports provided.

There is significant evidence from research, both in Ireland and elsewhere, that the achievement disadvantages associated with poverty are exacerbated when large proportions of pupils in a school are from poor backgrounds (a 'social context' effect). It is appropriate, therefore, from a policy point of view, to target resources at schools in which disadvantage is most concentrated. DEIS supports are designed to meet the additional needs of schools in recognition of the concentrated nature of their disadvantage.

DEIS was the outcome of the first full review of all programmes for tackling educational disadvantage that had been in place in the preceding twenty years. The DEIS plan has been warmly received across the education sector. That is not to say that there are not improvements that can be made in any renewal of DEIS. The implementation and evaluation of DEIS has been continuously supported by ongoing consultation with Education Partners and stakeholders. In addition there is a commitment to consult widely on any new process for the identification of schools and the renewal of DEIS.

In the current climate my Department's main focus is to retain, where possible, key resources in the schools targeted under the DEIS initiative. This approach is in line with the broad thrust

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of the recommendations of the Comptroller and Auditor General in his report on Primary Disadvantage in 2006, which suggested that the Department should focus its educational disadvantage measures on those schools serving the most disadvantaged. The list of all schools in the DEIS programme is available on my Department's website: www.education.ie. There are 200 post primary schools in the DEIS programme. The breakdown between the sectors is as follows: Community & Comprehensive Schools 26; Voluntary Secondary Schools 48 and VEC schools 126.

Redundancy Payments

125. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will provide a breakdown in the calculation of redundancy payment in respect of a person (details supplied) in County Clare. [8431/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A breakdown of the calculation of the redundancy payment made to the person referred to by the Deputy will be provided to her by my Department.

School Transport

126. **Deputy Sandra McLellan** asked the Minister for Education and Skills if he will ensure that new entrants whose nearest school is the closed school in Ladysbridge, County Cork, will be allowed to continue to be eligible for transport to a school (details supplied). [8432/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the recently published Value for Money Review of the scheme. The change to the closed school rule, referred to by the Deputy, means that the distance criteria will be applied uniformly and equitably on a national basis. All pupils travelling to a Central School/School of Amalgamation including those children starting school in September 2011, will continue to be eligible for transport to that Central School/School of Amalgamation school for the duration of their primary education, provided they meet the distance criterion.

From the 2012/2013 school year, school transport eligibility for all pupils newly entering national schools will be determined by reference to the nearest national school, having regard to ethos and language. Existing eligible primary pupils availing of transport under the Rule in question will retain transport eligibility for the duration of their schooling, provided the requisite distance criterion is met. Given the major financial constraints facing the country, I cannot reverse the changes to school transport as announced by the previous government in Budget 2011. We all have to understand the legacy of economic mismanagement which the last Government gave to the country.

School Staffing

127. **Deputy Michael Creed** asked the Minister for Education and Skills the situation regarding access rights for teachers to the supplementary panel; the reason he has decided to change the criteria which previously permitted the requisite three years to consist of teaching experience acquired through parental leave, maternity leave and fixed term contracts but is now prioritising fixed term contract holders; and if he will make a statement on the matter. [8446/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has not made changes to the supplementary panel which is made up of teachers with fixed term and/or substitute service. My Department has prioritised permanent and contract of indefinite duration (CID) holding teachers within the main redeployment panels so that all vacancies are offered in the first instance to these teachers. The purpose of this is to maximise the opportunities for the redeployment of these permanent and CID holding teachers.

The process of allocating teaching resources to schools for 2011/2012 and the arrangements for filling vacant or new teaching posts takes place in the context of the EU/IMF Programme of Support for Ireland and the Public Service Agreement 2010/2014. It is necessary for my Department to exercise additional control and reporting measures this year to ensure that the numbers of teachers employed in schools is consistent with the EU/IMF Programme of Support for Ireland. It is the intention of the Department to restore recruitment from fixed-term teachers on the main panels, supplementary panels or public advertisement at the earliest possible opportunity, after all the surplus permanent teachers have been redeployed.

128. **Deputy Jerry Buttimer** asked the Minister for Education and Skills when the vacant post of director of adult education in a school (details supplied) in County Cork will be filled. [8463/11]

Minister for Education and Skills (Deputy Ruairí Quinn): When the moratorium was introduced the Government exempted Principal and Deputy Principal posts in all primary and post-primary schools and these continue to be replaced in the normal manner. The impact of the moratorium is therefore limited to the Director of Adult Education, Assistant Principal and Special Duties allowances payable to teachers on promotion. Vacancies at this level arise due to retirements in the specific grades and typically also from the knock on effect of filling Principal and Deputy Principal posts.

Some further limited alleviation was introduced for schools that are acutely affected by the impact of the moratorium. The alleviation arrangements are set out in Circular 42/2010. Most of the alleviation arrangements are already in place. Any remaining applications, which include the school referred to by the Deputy, will be examined and prioritised as soon as possible. Individual schools will be notified in due course.

FÁS Training Programmes

129. **Deputy Dominic Hannigan** asked the Minister for Education and Skills the number of persons in County Meath who have finished FÁS training courses in 2007, 2008, 2009 and 2010; the number of persons who have yet to be awarded qualification since they finished their training; and if he will make a statement on the matter. [8464/11]

Minister for Education and Skills (Deputy Ruairí Quinn): People from Co. Meath participate on FÁS training courses in all regions throughout the 26 counties. The numbers are set out in the table. Requests for certification are processed in the region in which the training takes place and the methodology used varies depending on the programme type. To establish who has yet to be awarded certification would require significant resources and time. Unfortunately, it is not possible to provide this information at this time.

Region	2007	2008	2009	2010	Total
City Centre	309	237	271	138	955
Fingal	132	129	259	327	847
South Dublin	18	29	52	188	287

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Region	2007	2008	2009	2010	Total
Midlands	50	60	78	77	265
Mid West	16	10	15	7	48
North East	786	936	1,265	1,494	4,481
North West	44	48	25	19	136
South East	10	16	27	36	89
South West	14	26	22	32	94
West	6	5	1	7	19
Total	1,385	1,496	2,015	2,325	7,221

Training and Work Experience Programmes

130. **Deputy Dominic Hannigan** asked the Minister for Education and Skills the number of training and work experience activation places funded by him in County Meath in 2010, broken down by type of course or work experience programme; the funding allocated to each type of course or programme; and if he will make a statement on the matter. [8465/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In 2010, the Government funded 6,195 training, education and work experience places in County Meath at a cost of €27.8 million. FÁS, the main training provider for the unemployed, provided 1,979 training and work experience places at a cost of €17.7 million in County Meath last year. The Labour Market Activation Fund provided 880 activation places in County Meath to the unemployed in 2010. This Fund was launched in March 2010, in order to assist in the creation of training and education provision for specific priority groups among the unemployed.

The Further Education Sector also provided 3,336 education places in County Meath in 2010. These education places were also open to the unemployed and included full-time places through the Vocational Training Opportunities Scheme (VTOS), Youthreach, Senior Traveller Training Centre (STTC), Post Leaving Certificate programmes and part-time places through the Back to Education Initiative, Adult Literacy and Community Education. I have detailed in the table the number of activation and work experience places available in County Meath, in 2010.

Type of Course/Programme	Number of Places	Funding 2010
		€
FÁS Activation and Work Experience Places		
Technical Employment Support Grant	345	148,487
Specific Skills Training	450	2,072,412
Local Training Initiative	156	684,716
Specialist Training Providers	81	1,014,125
Community Training Centre	93	582,718
Community Employment	828	13,166,281
Work Experience Programme	26	0
Total FÁS Activation and Work Experience Places	1,979	17,668,740
Labour Market Activation Fund		
Science IT Smart Skills — level 5, County Meath VEC	100	345,000
Smart Skills — FETAC level 3, County Meath VEC	600	1,236,000

Type of Course/Programme	Number of Places	Funding 2010
		€
Eco-Tourism 7 E-business Training Programme — level 5 and National Certificate in Tourism — Meath Partnership	40	118,330
Wood Energy and Biomass Training programme, level 5 — Meath Partnership	60	128,575
Artisan Food Skills Development — FETAC level 4 — Meath Partnership	80	128,575
Total Labour Market Activation Fund places	880	€1,956,480
Further Education Places — Co. Meath VEC		
Vocational Training Opportunities Scheme (VTOS)	70	1,215,541
Youthreach	185	3,131,547
Senior Traveller Training Centre programme (STTC)	30	866,097
Post Leaving Certificate programme (PLC)	328	1,649,105*
Back to Education Initiative (BTEI)	746	469,687
Adult Literacy	1,545	642,315
Community Education	432	250,450
Total Further Education Places	3,336	8,224,742
Total Activation and Work Experience Places	6,195	27,849,962

*This is an estimated figure which includes Teacher Pay, Capitation and Maintenance Grants.

School Placement

131. **Deputy Peter Fitzpatrick** asked the Minister for Education and Skills if he will find a place for a student (details supplied) in County Louth who has been unable to enrol at a secondary school in Dundalk. [8495/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The selection and enrolment of pupils in schools is the responsibility of the authorities of the individual school. My Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking school places in an area. However, this may result in some pupils not obtaining a place in the school of their first choice. As schools may not have a place for every applicant, a selection process may be necessary. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants.

Under section 15(2)(d) of the Education Act, 1998, each school is legally obliged to disclose its enrolment policy and to ensure that as regards that policy that principles of equality and the right of parents to send their children to a school of the parents choice are respected. Section 29 of the Education Act, 1998 provides for an appeal by a parent or guardian to the Secretary General of my Department, or in the case of a Vocational Educational Committee (VEC) school to the VEC in the first instance, where a Board of Management of a school, or a person acting on behalf of the Board, refuses to enrol a student in a school. My Department has no authority to compel a school to admit a pupil, except in the case of an appeal under section 29 of the Education Act, 1998 being upheld.

The National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child. The NEWB will be able to offer assistance and advice on securing a school placement within the pupil's area. The contact details for the NEWB in your area is NEWB, Block 3, Floor 1, Grove Court, Blanchardstown Dublin 15, Tel: 01 8103261. I understand that the parents of the student in

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question have submitted an Appeal under Section 29. My officials are liaising with the school authorities on the matter.

Schools Refurbishment

132. **Deputy David Stanton** asked the Minister for Education and Skills the amount of money allocated under the 2009 and 2010 summer works schemes respectively; the amount of the budget which was expended each year; and if he will make a statement on the matter. [8501/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The funding allocated to the 2009 Summer Works Scheme amounts to €109m with expenditure incurred in 2009 of €100.7m; in 2010 of €6.4m and to date in 2011 a sum of €0.5m. The funding allocated to the 2010 Summer Works Scheme amounts to €138m with expenditure incurred in 2010 of €124.5m and to date in 2011 a sum of €6m.

School Patronage

133. **Deputy Paudie Coffey** asked the Minister for Education and Skills his plans to open a second level Educate Together school in Waterford city; and if he will make a statement on the matter. [8502/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Programme for Government gives a commitment to move towards a more pluralist system of patronage at second level, recognising a wider number of patrons. It is my intention to address this policy and I will consider the role that all patron bodies, including Educate Together, can play in ensuring our education system caters for a pluralism of choice which reflects the needs of Ireland today and into the future.

Teachers' Remuneration

134. **Deputy Paschal Donohoe** asked the Minister for Education and Skills the position regarding salary arrangements in respect of a person (details supplied) in Dublin 7; and if he will make a statement on the matter. [8509/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The case referred to by the Deputy is being examined by officials of my Department at present. The person referred to by the Deputy will be advised of the position as soon as possible.

School Curriculum

135. **Deputy Peadar Tóibín** asked the Minister for Education and Skills when politics will become examinable in the secondary school curriculum; when will the intake for teachers in the relevant training colleges be opened for this new subject; and if he will make a statement on the matter. [8519/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The National Council for Curriculum and Assessment has been progressing the development of a new subject “Politics and Society”, which is proposed as an optional examinable full subject in the Leaving Certificate. A draft syllabus has been developed by the Council and was published for consultation. The syllabus is currently being revised in the light of the feedback. After this process has been completed, the Council’s formal proposals on the matter will be submitted to me, and will be considered in the light of overall system needs and priorities.

It should be noted that education for citizenship is covered extensively in the curriculum for primary schools as part of Social Personal and Health Education. At second level, Civic Social and Political Education is a mandatory subject for all pupils in the junior cycle. It is examined in the Junior Certificate by means of a written terminal examination and an innovative action project which is designed to give students a practical experience of active citizenship.

The Teaching Council has a statutory role in relation to the review of standards required for entry into the teaching profession, including the standards of knowledge, skill and competence required for the practice of teaching. In the context of Section 38 of the Teaching Council Act, the Teaching Council, in 2009, commenced its process of reviewing and accrediting the teacher education programmes in Ireland, of which there are over 40, and this process is continuing with the second round of reviews taking place this year.

The review of the four programmes in both 2009/2010 and in 2010/2011 marks a significant first step for the Council and for all the partners in education who have contributed to the development of the Council's Review and Accreditation Strategy. The Council has also recently engaged in an open consultation process on its draft policy on the continuum of teacher education. The outcome of the pilot reviews is shaping the Council's proposals on the teacher education continuum as a whole. Emerging needs as a result of curriculum developments will be taken account of as part of the Council's ongoing work.

Higher Education Grants

136. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding an aspect of the higher education grant scheme (details supplied). [8521/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for a student's local grant awarding body — the relevant local authority or VEC. In the absence of all of the relevant details that would be contained in an individual's application form and the necessary proofs that must be provided, the Deputy will appreciate that it would not be possible for me to say how a student would be assessed by his or her grant awarding body and whether or not they would qualify for a grant.

However, in relation to the specific clauses in the 2010 student grant schemes governing the issues raised by the Deputy, the position is that a student may be assessed as an independent mature student if he/she has attained the age of 23 on the 1st of January of the year of first entry to an approved course or of re-entry following a break in studies of at least three years and is not ordinarily resident with his/her parents from 1 October 2009. Otherwise he/she would continue to be assessed on the basis of his/her parents' income.

Special Educational Needs

137. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the steps he will take to immediately assist in the case of a person (details supplied) in County Mayo who cannot now attend at a school owing to lack of provision of the necessary support services for their education. [8531/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the enrolment of a child in a school is a matter in the first instance for the parents of the child and the Board of Management of a school. My Department has no role in relation to processing applications for enrolment in schools.

The National Educational Welfare Board (NEWB) is the statutory agency which assists parents who are experiencing difficulty in securing a school place for their child. The NEWB

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will try to help parents to find an alternative school placement if their child has been unable to secure a placement to date. The Deputy may be aware that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from schools for special educational needs supports. The NCSE operates within my Department's criteria in allocating such support.

In considering applications for teaching and SNA support for individual pupils, the SENOs take account of the needs identified in the professional reports and decide whether the circumstances come within the Department's criteria. They then consider the resources available to the school to identify whether additionality is needed or whether the school might reasonably be expected to meet the needs of the pupil from its current level of resources.

Officials at my Department have been in contact with the NCSE regarding the matter referred to by the Deputy and have been advised that the SENO with assigned responsibility for the school in question is liaising with the school authorities and the pupil's father in relation to an application for supports for this pupil and with regard to the pupil's educational placement. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie.

138. **Deputy John Lyons** asked the Minister for Education and Skills if he will consider a proposal from an organisation (details supplied); and if he will make a statement on the matter. [8537/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that a proposal for an academy for children with autism has been received by officials in my Department who will revert to the organisation in question shortly. However it is important to emphasise that the proposal will be considered in the context of my Department's policy in this regard.

My Department's policy is focused on ensuring that all children including those with autism can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. As each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met.

My Department's policy is to provide for children with special educational needs, including autism, to be included in mainstream schools unless such a placement would not be in their best interests or the interests of the children with whom they are to be educated. Some children may be supported in a special class attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils. Other children may have such complex needs that they are best placed in a special school. Students with special educational needs have access to a range of support services including additional teaching and/or care supports. In special schools and special classes, students are supported through lower pupil teacher ratios. Special needs assistants may also be recruited specifically where pupils with disabilities and significant care needs are enrolled.

Reflective of the important role of continuing professional development my Department has put in place a training programme for teachers in autism-specific interventions including Treatment and Education of Autistic Communication Handicapped Children (TEACCH), Pic-

ture Exchange Communications System (PECS) and Applied Behaviour Analysis (ABA) through the Special Education Support Service.

The Deputy will be familiar with the ABA pilot scheme which was funded by my Department for the past decade. All of the centres which participated in this scheme have been granted recognition as special schools for children with autism. These schools will operate in line with my Department's policy. I am pleased to update the Deputy that following their recognition the new schools are currently progressing well in the transitional phase. Eight schools have opened and the remaining five are scheduled to open shortly. It is my intention to continue to support this transitional process.

The pilot scheme was established in the absence of a network of school-based special classes for children with autism which is now available. The Deputy will be aware that the establishment of this network of autism-specific special classes in schools across the country to cater for children with autism has been a key educational priority in recent years. In excess of 430 classes have now been approved around the country at primary and post primary level, including many in special schools.

139. **Deputy John Lyons** asked the Minister for Education and Skills if his attention has been drawn to a situation regarding the resource allocation of a school (details supplied) and the way it is likely to lead to a number of students with mild general learning difficulties being taught in general class as of September 2011; and if he will make a statement on the matter. [8540/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOS) for allocating resource teaching hours to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. In respect of the allocation of Resource Teaching hours, the Department of Education and Skills (DES) is required to ensure that the overall allocation of teaching posts does not exceed the targets set out in the Governments Employment Control Framework.

The DES had planned for a certain amount of increased growth in teacher numbers across the school sector in 2011, in line with increased demographic growth. In respect of resource teaching hours for children with special educational needs, allowance was made for growth in 2011 over and above normal demographic increase levels. In 2010 the total number of Whole time Equivalent (WTE) posts provided for resource hours teaching (including under the General Allocation Model) was approximately 9,600 WTE posts. By comparison approximately 9,950 WTE posts are provided for 2011. There has therefore not been a reduction in the overall number of resource hours/posts being provided for in 2011.

My Department has requested the NCSE to provide data on the numbers and rate of application for additional resource teaching hours to date this year so that this information can be considered in the context of the Departments Employment Control Framework obligations. The NCSE has also been asked to pause sanctioning additional resource teaching support hours to allow for collection and consideration of this data by the DES, in conjunction with the NCSE. It should be noted that this is a temporary suspension of the allocation process in order to allow for consideration and analysis of this issue prior to any decisions being made.

The NCSE issued a Circular to schools advising them that the final date for schools to submit any outstanding, completed, applications for resource teaching supports is 13th May 2011. On receipt of all outstanding applications the DES and NCSE will be in a position to consider

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resource allocation for the coming school year, in the context of the Departments Employment Control Framework obligations. Schools will be notified of their allocations as soon as possible.

Applications for resource teaching for any new entrants to the school referred to by the Deputy will be considered in the context outlined above. The school should submit all of its applications for resource teaching supports to the NCSE by 13th May 2011, so that the overall resource allocation for the school can be considered for September. In the interim, children who are eligible for resource/ learning support teaching will receive this tuition through the existing learning support provision in schools.

Schools Refurbishment

140. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will make available in 2011 the necessary funding to carry out the essential roof remedial work to a school (details supplied). [8563/11]

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 this year 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.

141. **Deputy Tom Fleming** asked the Minister for Education and Skills if he will make available in 2011 the necessary funding to provide new windows to a school (details supplied). [8564/11]

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 this year 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.

Special Educational Needs

142. **Deputy Sean Fleming** asked the Minister for Education and Skills the position regarding the reduction in special needs assistants in a school (details supplied) in County Carlow; and if he will make a statement on the matter. [8566/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Firstly, I wish to advise the Deputy that Special Needs Assistant (SNA) allocations are not permanent, as the level of SNA support allocated to a school may be increased or decreased as pupils who qualify for SNA support enrol or leave a school. They are also decreased where a child's care needs may have diminished over time.

The National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and SNAs to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support, which now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

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 NCSE recently issued a circular to all schools advising of the SNA allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of SNA support to eligible schools. The NCSE are considering applications for additional SNA support in the context of this process for the 2011/12 school year. Schools are currently engaging with the NCSE in this regard ahead of the next school year and the NCSE will review the SNA staffing requirements for schools, taking into account all of the students who will be attending school from September next and any new students that the school are intending to enrol.

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.

143. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will support the case of a school (details supplied). [8648/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the National Council for Special Education (NCSE) is an independent agency with responsibility for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in mainstream and special schools. The NCSE operates within my Department's policy in allocating this support. Officials at my Department have been in contact with the NCSE regarding the matter referred to by the Deputy and have been advised that the NCSE has not notified the school of a reduction in its level of teaching staff. I have arranged for the details supplied to be forwarded to the NCSE for their attention and direct reply.

Employment Rights

144. **Deputy Willie O'Dea** asked the Minister for Enterprise, Trade and Innovation if his attention has been drawn to alleged serious irregularities in relation to the terms and conditions of employment on the site of a large extension to a school (details supplied) in County Limerick; in view of the fact that the State is paying for the extension if he will investigate this as a matter of urgency; and if he will make a statement on the matter. [8183/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): I thank the Deputy for drawing this matter to my attention and I have forwarded details of the complaint to which the Deputy referred directly to the National Employment Rights Authority for investigation. Any employees, who believe that their employment rights are being breached, may present a complaint, in confidence, to the National Employment Rights Authority, which is responsible for monitoring compliance with Employment Rights Legislation. The National Employment Rights Authority may be contacted at The National Employment Rights Authority, O'Brien Rd, Carlow, lo-call: 1890 80 80 90; or at www.employmentrights.ie.

Ministerial Staff

145. **Deputy Timmy Dooley** asked the Minister for Enterprise, Trade and Innovation the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8240/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The table below outlines the numbers, grades and duties of all persons within my Department who are assigned to work on constituency matters. This also includes Ministers of State at my Department.

Minister	Numbers	Grade	Duties
Richard Bruton	1	Personal Secretary (Ministerial Appointee)	Performing general secretarial duties including the handling of enquiries made to my Constituency Office.
	1	Clerical Officer (Civil Servant)	
Sean Sherlock Minister of State for Research & Innovation	1	Personal Assistant (Ministerial Appointee)	Performing general secretarial duties including the handling of enquiries made to Minister of State Sherlock's Constituency Office.
	1	Personal Assistant (Ministerial Appointee)	
	1	Clerical Officer (Civil Servant)	
John Perry Minister of State for Small Business	1	Personal Assistant (Ministerial Appointee)	Performing general secretarial duties including the handling of enquiries made to Minister of State Perry's Constituency Office.
	.5	Personal Secretary (Ministerial Appointee)	
	5	Personal Secretary (Ministerial Appointee)	
	w/sharer	Personal Secretary (Ministerial Appointee)	

Export Trade Council

146. **Deputy Willie O'Dea** asked the Minister for Enterprise, Trade and Innovation the date on which the export trade council will be established. [8275/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): As soon as the transfer of certain trade functions to the new Department of Foreign Affairs and Trade has been effected, the nature, structure, future role and timelines of the proposed Export Trade Council will be considered as a matter of urgency. The Government is conscious of the need to avoid establishing new groups and bodies unless absolutely necessary, and will therefore consider whether any amendments to the membership and terms of reference are needed to re-align the existing Foreign Trade Council with the objectives of this Government.

Appointments to State Boards

147. **Deputy Seán Kenny** asked the Minister for Enterprise, Trade and Innovation the

appointments his predecessor made to State agencies and State boards under the remit of his Department in 2009, 2010 and to date in 2011. [8493/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The following appointments were made to State Boards by my predecessor in 2009, 2010, and 2011.

Board	2009	2010	2011
PIAB	10	2	1
IAASA	5	4	3
IDA Ireland	2	3	2
Enterprise Ireland	2	2	0
Shannon Development	3	2	0
NSAI	3	4	0
Forfás	2	6	2
SFI	2	2	0
H.S.A.	0	12	0
NCA	0	4	0
LRC	7	0	0
The Competition Authority	1	3	4
FÁS	3	11	0*

*The responsibility for FÁS has transferred to the Department of Education and Skills with effect from 01 May 2010.

Question No. 148 withdrawn.

Employment Support Services

149. **Deputy Willie O'Dea** asked the Minister for Social Protection when she expects the promised national employment and entitlements service to be established. [8281/11]

187. **Deputy Barry Cowen** asked the Minister for Social Protection the functions of the new national employment and entitlements service; the timeframe for its implementation; and the division of responsibilities among the different Departments in relation to this new body. [8644/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 149 and 187 together.

The Programme for Government states that a new National Employment and Entitlements Service will be established under the management of the Department of Social Protection. The objective is to integrate all employment and benefit support services in a single delivery unit which will provide a 'one stop shop' for people wishing to establish their benefit entitlements, seek employment and / or seek advice about their training options. The focus is very much on the individual, his / her right to a payment and the corresponding responsibility to engage in employment, training or upskilling, as appropriate. This should improve a person's life chances.

It is clear that we are talking about a multi-annual programme of work which will involve the development of a new service, the assignment of functions to the service and the development of its organisation process and operational systems. A number of streams of work are already underway which will facilitate the establishment of the integrated service. The administration of the supplementary welfare allowance scheme has already been transferred to the Department of Social Protection with the secondment of the Community Welfare Service from the Health Service Executive at the beginning of this year. The intention is to have the staff

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fully integrated with the Department by the end of September this year. The transfer and integration of the employment and community employment services of FÁS to the Department is also underway and it is envisaged that the integration of staff will commence later this year.

A key objective of the Government in relation to the new service is that it will offer users a high level of personalised employment support and prioritise the provision of more intensive support for those on the live register who are identified as being most at risk of long-term unemployment. This will be achieved through the use of proactive approaches and modern case management systems.

A number of pilot projects are already underway in relation to the development of case management, the identification of those who are most at risk of falling into long-term unemployment, as well as improving information exchanges and communications between the different bodies which currently provide social welfare and employment services. These pilot projects will be completed and evaluated in the coming months after which approaches will be developed for their rollout nationwide.

Social Insurance

150. **Deputy Michael McGrath** asked the Minister for Social Protection the estimated reduction in income for the remainder of 2011 from a halving of the lower rate of employer PRSI of 8.5% from 1 July 2011 and the corresponding reduction in income for the full calendar year 2012. [8283/11]

Minister for Social Protection (Deputy Joan Burton): It is estimated that the reduction to the Social Insurance Fund, as a result of halving the rate of employer's Class A PRSI from 8.5% to 4.25% from 1 July 2011, would be in region of €75 million. The estimated 2012 full year reduction in Social Insurance Fund income caused by lowering the employer's Class A rate to 4.25% would be €174 million.

Social Welfare Benefits

151. **Deputy Niall Collins** asked the Minister for Social Protection the position regarding an application to the Health Service Executive south in respect of a person (details supplied) in County Cork. [8305/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that before entitlement to rent supplement can be considered for this person she must have her housing need assessed by her local authority.

Social Welfare Code

152. **Deputy Martin Ferris** asked the Minister for Social Protection if she will bring forward an emergency amendment to assist previously self-employed persons who through no fault of their own may owe money to the Revenue and because of current legislation are unable to access their non-contributory old age pension. [8412/11]

Minister for Social Protection (Deputy Joan Burton): I understand that the Deputy is referring to contribution conditions for the state pension (contributory). With effect from 1st January 2010, changes were introduced in the legislation and qualifying conditions governing the eligibility for state pension (contributory) of self-employed contributors. The relevant legislation is Section 110 of the Social Welfare Consolidation Act 2005, as amended by Section 9 of the Social Welfare and Pensions Act 2009.

The changes apply to state pension (contributory) claims received on or after 1st January 2010 under Sections 109 and 110 of the 2005 Act, where the applicant had been a self-employed contributor. Where a claim is received on or after 1st January 2010, a pension can only be awarded with effect from the date that the claimant has fully discharged all determined Class S contribution liabilities, even where this date may be after their 66th birthday. These provisions are consistent with the contributory and solidarity principles which underpin the social insurance system. There are no plans to change these provisions.

Social Welfare Benefits

153. **Deputy Pearse Doherty** asked the Minister for Social Protection the amount that can be saved by the State if the number on the live register falls to an average of 405,000 in 2011 in terms of social welfare payments; the amount that can be saved by the State if the number on the live register falls to an average of 405,000 in 2011 in terms of other savings; and if she will make a statement on the matter. [8448/11]

Minister for Social Protection (Deputy Joan Burton): The average Live Register underpinning the 2011 Budget is 405,000. The 2011 REV provides for Exchequer resources to support this average.

154. **Deputy Finian McGrath** asked the Minister for Social Protection if she will support the case of a family (details supplied) in Dublin 11. [8651/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that it has not received an application for mortgage interest supplement from the person concerned. The HSE has forwarded a mortgage interest supplement application form to the person concerned at the address provided.

Departmental Programmes

155. **Deputy Terence Flanagan** asked the Minister for Social Protection if she will review the case of an organisation (details supplied) regarding funding; and if she will make a statement on the matter. [8141/11]

Minister for Social Protection (Deputy Joan Burton): The Deputy will recall that he raised this matter earlier this month. The position regarding the support that is available to this company from the community services programme is being examined with a number of other requests. The Deputy will appreciate that decisions can only be made within the funds allocated to the programme and the merits of the case put forward by the company.

The community services programme is not designed to cover the full operating costs of supported service providers or to compensate service providers where they experience higher wage costs because of sectoral agreements. Where such conditions exist, the programme's requirement is that such costs are met by the service provider by developing non-public forms of income such as charging fees, trading or fund-raising. In the event that sufficient funding cannot be generated, the company may have to explore other alternatives or diversify their operations.

Departmental Schemes

156. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the discussions she has had with Departments, local authorities and other State agencies in relation to providing matching materials money for work to be carried out by the rural social scheme, TÚS, and community employment schemes; and if she will make a statement on the matter. [8158/11]

Minister for Social Protection (Deputy Joan Burton): The Deputy will be aware that the rural social scheme, Tús and the community employment programme are delivered locally either through local development companies or community based sponsor groups which have significant linkages to local authorities and State agencies. Primary responsibility for the provision of resources in the forms of materials or similar inputs is a matter for the sponsoring organisations. The processes and engagement between local authorities, state agencies and sponsoring organisations involved in the delivery of these programmes is an essential element in ensuring that the employment supports provided by the Department is matched by local efforts to provide the funds required for materials and similar inputs. Should these local processes prove to need improvement, I will consider if a more structured engagement with local authorities and State agencies is required.

157. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the number of participants on the TÚS programme broken down by sponsor companies and Údarás na Gaeltachta; when she expects the full complement of 5,000 places to be filled; and if she will make a statement on the matter. [8159/11]

158. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection the progress that has been made in rolling out the special module of the TÚS scheme for coaching, with the sporting organisations; the number employed by each organisation; and if she will make a statement on the matter. [8160/11]

162. **Deputy Thomas P. Broughan** asked the Minister for Social Protection her plans to change or amend the TÚS community work placement initiative to ensure that similar entry candidates to the rural social scheme and community employment would apply to TÚS which now consists of a workforce programme; and if she will make a statement on the matter. [8222/11]

163. **Deputy Thomas P. Broughan** asked the Minister for Social Protection her plans to change or amend the TÚS community work placement initiative so that similar training resources to the rural social scheme and community employment will apply to TÚS; and if she will make a statement on the matter. [8223/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 157, 158, 162, and 163 together.

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. Tús will provide short-term, quality work opportunities for those who are unemployed for more than a year. Tús will be delivered at local level by local development companies and by Údarás na Gaeltachta. The allocation to each company is set out in the table.

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. My department continues to work with proposals from sporting organisations in respect of games development opportunities and a significant allocation is available where Tús matches the objectives of the sporting organisation. The random selection of participants by my Department will commence once the necessary arrangements have been put in place by the local development companies and will take some months to reach the target of 5,000 placements.

There are a number of significant differences in the aims, focus, participant selection and operation of Tús and those of the community employment programme and the rural social

scheme. I have no proposals to introduce a training element or to provide for self selection or to make any other changes to this initiative at this time.

Table

Tús — Allocation of Participants to Implementing Bodies

Implementation Body	County Covered	Tús Allocation
Carlow County Development Partnership	Carlow	80
Breiffni Integrated	Cavan	80
Clare Local Development Company	Clare	100
Avondhu/Blackwater Partnership	Cork	60
IRD Duhallow	Cork	40
South and East Cork Area Development Partnership	Cork	120
West Cork Development Partnership	Cork	80
Comhar Chathair Chorcaí Teoranta	Cork City	100
Donegal Local Development Company	Donegal	120
Inishowen Development Partnership	Donegal	60
Ballyfermot Partnership Company <i>The</i>	Dublin City	40
Ballymun Partnership <i>The</i>	Dublin City	40
Canal Partnership <i>The</i>	Dublin City	20
Dublin Employment Pact Limited	Dublin City	120
Northside Partnership	Dublin City	120
Rathmines Community Partnership	Dublin City	100
Tolka Area Partnership (Finglas/Cabra)	Dublin City	60
Blanchardstown Area Partnership <i>The</i>	Dublin Fingal	80
Fingal Leader Partnership Company	Dublin Fingal	140
CPLN Partnership	South Dublin	80
Dodder Valley Partnership (Tallaght)	South Dublin	140
Southside Partnership DLR	DunLaoghaire/Rathdown	180
Forum Connemara	Galway	20
Galway Rural Development Company <i>The</i>	Galway	120
Galway City Partnership	Galway City	80
Údarás na Gaeltachta/Comhar na nOilean Teoranta	Dgal Galw, Kry & Mayo	120
North and East Kerry Leader Partnership Teoranta	Kerry	80
South Kerry Development Partnership	Kerry	40
Cill Dara Ar Aghaidh Teoranta	Kildare	180
Kilkenny Leader Partnership Company <i>County</i>	Kilkenny	80
Laois Community and Enterprise Development Company	Laois	100
Leitrim Integrated Development Company	Leitrim	40
Ballyhoura Development	Limerick	80
West Limerick Resources	Limerick	80
People Action Against Unemployment (PAUL)	Limerick City	80
Longford Community Resources	Longford	60
Louth Leader Partnership	Louth	180
Mayo North East Leader Partnership Company Teoranta	Mayo	60
South West Mayo Development Company	Mayo	60
Meath Community Rural & Social Development Partnership	Meath	100

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Implementation Body	County Covered	Tús Allocation
Monaghan Integrated Development	Monaghan	60
Offaly Integrated Local Development Company	Offaly	100
Roscommon Integrated Development Company	Roscommon	60
Sligo Leader Partnership Company <i>County</i>	Sligo	60
North Tipperary Leader Partnership	Tipperary NR	60
South Tipperary Local Development Company	Tipperary SR	100
Waterford Leader Partnership	Waterford	80
Waterford Area Partnership	Waterford City	80
Westmeath Community Developments	Westmeath	100
Wexford Local Development	Wexford	180
Bray Area Partnership	Wicklow	40
Wicklow Community Partnership <i>County</i>	Wicklow	100
National Organisations (not yet confirmed)		240
Supervisory positions		220
Total		5,000

Departmental Staff

159. **Deputy Pearse Doherty** asked the Minister for Social Protection the number of persons in her Department who have applied for transfers to the social protection offices in Donegal town; if she will provide a detailed breakdown of the number of applicants; if she will provide a detailed breakdown of the time waiting; and if she will make a statement on the matter. [8166/11]

Minister for Social Protection (Deputy Joan Burton): Prior to the introduction of the Decentralisation Programme, the names of clerical officers and staff officers applying for a transfer to a particular location were recorded, in order of date of receipt, on the Department's central transfer list. The Central Applications Facility (CAF) was established to record expressions of interest from all grades in relation to locations which were associated with the Decentralisation Programme, including Donegal town and is administered by the Public Appointments Service. The earliest application received on the CAF for Donegal town is September 2004.

While the Department has an existing local office in Donegal town, the relatively small size of the office means that there is no significant movement of staff. Details of the applications held on both the Department's central transfer list and the CAF list for Donegal town are shown in tabular format below. It should be noted that when filling vacancies at clerical officer and staff officer level priority is given to the Department's central transfer list.

Central Transfer List — Donegal Town

Grade	Total No. of applications	Detailed breakdown by year of application	Numbers of Staff
Clerical Officer	90	1998	2
		1999	3
		2000	8
		2001	12
		2002	22

Grade	Total No. of applications	Detailed breakdown by year of application	Numbers of Staff
Staff Officer	1	2003	17
		2004	26
		2003	1

CAF Transfer List — Donegal Town

Grade	No. of applications	Date of Earliest Application
Principal Officer	2	September 2004
Assistant Principal	3	September 2004
Higher Executive Officer	4	September 2004
Executive Officer	9	September 2004
Staff Officer	3	September 2004
Clerical Officer	31	September 2004
Service Grade	1	September 2004
Total	53	

Of the 53 applications to CAF, 28 applications were made in September 2004 while the remaining 25 applications were received between September 2004 and October 2009, when the CAF list was last updated.

Departmental Programmes

160. **Deputy Willie O'Dea** asked the Minister for Social Protection if she will change the criteria for qualification for community enterprise schemes to accommodate individuals over the age of 65 years who wish to participate in same; and if she will make a statement on the matter. [8186/11]

Minister for Social Protection (Deputy Joan Burton): I understand that the Deputy is referring to the community services programme (CSP) which is funded by my Department. The CSP is designed to address locally identified gaps in the provision of services and to exploit the potential of community assets and resources to improve community well-being. CSP support is designed in such a manner that service providers are required to offer employment opportunities to people from specific target groups. The target group includes people with disabilities, Travellers, recovering drug users, persons who are long-term unemployed and lone parents. A person over the age of 65 years of age is ineligible for support from the programme.

Not all persons employed by a CSP supported service provider are funded by the programme and in such circumstances the criteria to engage persons under 65 do not apply. In general, my Department would encourage service providers to offer employment opportunities to those most in need of work and not in receipt of other income by way of pensions or other part-time work. The programme supports an estimated 2,700 people in some 450 service providers across the State. The programme is not designed to cover the full operating costs of supported service providers. A key requirement of the programme is that each service provider must develop non-public forms of income generation by way of charging fees, trading or fund-raising.

Employment Support Services

161. **Deputy Peter Mathews** asked the Minister for Social Protection the funding or grants

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available to a group of unemployed persons who have set up a networking group in an attempt to find employment; and if she will make a statement on the matter. [8205/11]

Minister for Social Protection (Deputy Joan Burton): Given the changing nature of the composition of the Live Register in recent years it is recognised that different approaches are required. For some, such as senior managers and executives who are in the unfortunate position of having lost their job, it can be important to provide the opportunity for individuals to keep in touch, avail of support and attend networking events or professional seminars that keep them in contact with the labour market. Accordingly FÁS, in the last two years, has facilitated the executive networking and support programme that operates in a number of FÁS Training Centres. Key competencies that are developed and supported through the programme include:

- Networking and building bonds
- Skills Analysis/Audit
- Personality Profiling
- Improving Self Confidence
- Enhanced Job Seeking Skills and following up leads
- C.V. Upgrading and Interview Preparation
- Upgrading of Presentation skills (Impacting)
- Influencing and communication

In addition FÁS currently funds 53 Job Clubs throughout the country. Job Clubs provide training to assist participants who are ready for work to develop skills which they can use to find a job. This active, practical and participative process takes place under the guidance and supervision of the Job Club leader. These Job Clubs generally have the capacity to facilitate additional participants and/or provide assistance to groups of unemployed persons. Anyone who is ready to work and is between 16 and 64 years of age can join a Job Club. Participants do not have to be on a social welfare payment, but if they are it will not be affected by becoming a member of a Job Club. Networks, such as the one referred to in the question, should contact their local FÁS in relation to advice and support.

Questions Nos. 162 and 163 answered with Question No. 157.

Ministerial Staff

164. **Deputy Timmy Dooley** asked the Minister for Social Protection the numbers, duties and grades of all persons within her Department who are assigned to work on constituency matters for her and any other Ministers assigned to her Department. [8246/11]

Minister for Social Protection (Deputy Joan Burton): Four staff, consisting of 1 personal assistant, 1 personal secretary, 1 executive officer and 1 clerical officer, are assigned to my constituency office to provide me with administrative and secretarial support. There are no other Ministers assigned to the Department.

Question No. 165 withdrawn.

Social Welfare Benefits

166. **Deputy Clare Daly** asked the Minister for Social Protection her views on the current procedure for claiming disability allowance, whereby claimants have to send their private medical records to a general address at the disability allowance department for their claim to be assessed, instead of attending a doctor appointed by the Department with their medical records and having their claim assessed on that basis; the percentage of disability claims that are denied; the percentage of denied claims that are appealed; the length of time the appeal process takes; the percentage of denied claims accepted during the appeals process; the percentage of all claims that are actually seen by a doctor; her plans to cut the initial waiting time for a decision to be made, which now stands at approximately five months; and if she will make a statement on the matter. [8335/11]

Minister for Social Protection (Deputy Joan Burton): Disability allowance is a weekly allowance paid to people with a specified disability who are aged over 16 and under 66. The disability must be expected to last for at least one year. To qualify, a claimant must satisfy a medical assessment, a means test and be habitually resident in the state.

The current procedure for determining if applicants satisfy the medical condition is that claimants submit a medical report completed by their doctor. The medical report is integrated into the application form for disability allowance. The medical report is desk assessed by medical assessors (MAs) who are qualified doctors employed by the department. This process involves the examination by a MA of all general practitioner and consultant reports provided on and with the application form. Following examination of all the available medical evidence, the MA provides a medical opinion of the claimant's eligibility for the scheme to a deciding officer. The deciding officer uses this opinion to assist in the decision as to a claimant's eligibility for disability allowance, taking account of the other eligibility criteria mentioned – income levels and residency.

All applications are desk assessed by a fully qualified doctor. However, in very exceptional circumstances, the medical assessor may decide that an in-person examination is required. In 2010, the number of disability allowance applications disallowed was 10,316. This represents 54% of all new disability allowance claims decided in 2010 and includes claims disallowed on income and residency grounds. Statistics are not kept of the numbers disallowed solely on medical grounds.

As regards appeals, the social welfare appeals office (SWAO) dealt with a total of 2,786 appeals in 2010. Of these, 2,074 cases involved a refusal on medical grounds although there may have been multiple grounds for the refusal. Of these 2,074 cases, 861(41%) were allowed, 1,196(58%) were disallowed and 17(1%) were partially allowed.

The average time taken to process disability allowance appeals decided by summary decision during 2010 was just under 31 weeks. The average time taken to process all disability allowance appeals involving oral hearings was just over 51 weeks. These processing times are calculated from the registration date of the appeal to the date of its finalisation. The times reflect all activities during this period including time spent by the Department providing comments by the deciding officer on the grounds of appeal put forward by the appellant, any further investigation by the Department's inspectors and any further examination or assessment by the Department's MAs that is deemed necessary in order to fully consider the appeal. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process.

As regards the processing of disability allowance claims, the processing time for individual claims may vary in accordance with their relative complexity in terms of the three main criteria

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which a claimant must fulfil in order to qualify. Certain claims have to be referred to social welfare inspectors for means investigation and this can add to the overall processing times. In addition, factors outside the Department's control can have an impact, for example, the supply of relevant information by the customer, employers or other third parties.

The average length of time to award a disability allowance claim in March 2011 was 16 weeks. People who have urgent income support needs while awaiting a decision on their DA claim can apply for the means tested supplementary welfare allowance (SWA) from their local Community Welfare Officer. The Department is committed to delivering the best possible service to its customers. Operational processes and procedures and the organisation of work are continually reviewed in all areas of the Department, including disability allowance section, to ensure that claims are processed and decided in the most efficient and expeditious way possible, having regard to the eligibility conditions that apply to each scheme.

Social Welfare Appeals

167. **Deputy Dara Calleary** asked the Minister for Social Protection the position regarding a jobseeker's allowance application in respect of a person (details supplied) in County Mayo. [8339/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 22 January 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 29 March 2011 and the appeal will be referred to an Appeals Officer in due course, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

168. **Deputy Ray Butler** asked the Minister for Social Protection if domiciliary care allowance will be awarded in respect of a person (details supplied); and if she will make a statement on the matter. [8341/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 8th December 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 14th February 2011 and the appeal will be referred in due course to an Appeals Officer, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Benefits

169. **Deputy Jim Daly** asked the Minister for Social Protection the number of applications received for domiciliary care allowance for carers or parents of children diagnosed within the autism spectrum between 1 January 2010 and 31 December 2010; the number of these appli-

cations that were granted, refused and still pending; and if she will make a statement on the matter. [8345/11]

Minister for Social Protection (Deputy Joan Burton): The complete figures for 2010 are not available at present. However, in the period 1st January to 30th June 2010 a total of 220 domiciliary care allowance applications were processed with a medical condition within the autism spectrum. Of these, 136 (62%) were deemed to satisfy the medical criteria, with 84 (38%) not satisfying the criteria.

Social Welfare Appeals

170. **Deputy Jim Daly** asked the Minister for Social Protection the waiting time for appeals for applications for domiciliary care allowance; and if she will make a statement on the matter. [8346/11]

188. **Deputy Barry Cowen** asked the Minister for Social Protection the number of appeals for the domiciliary care allowance that are pending; and the range of waiting times for each. [8645/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 170 and 188 together.

I am advised by the Social Welfare Appeals Office that as of 31 March 2011, there are 1,514 Domiciliary Care Allowance appeals pending. The average waiting time for a domiciliary care appeal dealt with by way of a summary decision in 2010 was 26.8 weeks, while the average time to process an oral hearing was 49.1 weeks. These processing times are calculated from the registration date of the appeal to the date of its finalisation. These include all activities during this period including time spent in the Department for comments by the deciding officer on the grounds of appeal put forward by the appellant and any further investigation, examination or assessment by the Department's inspectors and medical assessors, that is deemed necessary.

As can be seen from the figures, a considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process. In order to be fair to all appellants, these appeals are dealt with in strict chronological order. There has been a very significant increase in the number of appeals received by the Social Welfare Appeals Office since 2007 when the intake was 14,070 to 2010 when the intake rose to 32,432. In the context of dealing with the considerable number of appeals now on hands, the Department has made a further 9 additional appointments to the office in recent weeks.

I am assured by the Chief Appeals Officer that she is keeping current processes under continuous review with a view to achieving a more effective throughput of appeals, while ensuring that any progress does not conflict with due process in terms of the rights of appellants and adherence to the requirements of natural justice

Social Welfare Code

171. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection if her attention has been drawn to the fact that Irish citizens returning home or relocating from the Six Counties are being denied vital access to social welfare support because of the interference by the Department of Social Protection with the habitual residence condition and the assurances she will give that this injustice will cease to continue. [8349/11]

181. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if the fact that a person has not arranged employment before entering the State or does not have a history of

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employment in the State is considered a reason to determine that they do not satisfy the habitual residence condition and discriminates against people with disabilities who are unable to work. [8496/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 171 and 181 together.

The habitual residence condition was introduced in order to ensure that a person, who has had no attachment to the work force since arrival in Ireland and whose habitual residence is elsewhere, would not be entitled to payment under certain exchequer-funded schemes on arrival in Ireland. Decisions concerning habitual residence are subject to five factors which have been laid down by the European Court of Justice, and which are now incorporated into our domestic social welfare legislation. The five factors are:

- (a) the length and continuity of residence in the State or in any other particular country;
- (b) the length and purpose of any absence from the State;
- (c) the nature and pattern of the person's employment;
- (d) the person's main centre of interest; and
- (e) the future intentions of the person concerned as they appear from all the circumstances.

There is currently no discrimination on grounds of nationality in social welfare legislation and to introduce such a provision would be contrary to the equality principles that Ireland has adopted in our own equality legislation, and that we are obliged to respect by virtue of other international conventions.

Irish nationals returning to live here on a permanent basis should experience no difficulty in demonstrating that they satisfy the requirements of the Habitual Residence Condition. As regards the situation of someone who has never worked here, all factors are taken into account; employment is one factor, but the decision depends on all the circumstances of the case, including whether the person had a legal right of residence here.

172. **Deputy Pádraig Mac Lochlainn** asked the Minister for Social Protection her plans to extend eligibility of families to avail of the family income supplement to those who reside in Border areas and work in the Six Counties. [8350/11]

Minister for Social Protection (Deputy Joan Burton): The social security rights of people moving around the EU are governed by EU Regulations 883/2004 and 987/2009. These Regulations are designed to co-ordinate the social security systems of the various Member States so that people and their families are not disadvantaged when they move within the EU. A key principle of the co-ordination system is that persons moving to different Member States are subject to the same obligations and enjoy the same benefits as the nationals of those Member States. With few exceptions, it is the country of employment which receives the social security contributions and which is generally responsible for the payment of benefits.

The persons referred to by the Deputy are, for the purposes of the EU Regulations, regarded as frontier workers and special provisions apply to the payment of benefits to them and their families. With regard to payment of family benefits the Member State of employment is the competent State. Accordingly, in the circumstances referred to, the primary responsibility for payment of family benefits rests with the Northern authorities. A supplementary payment may also be made by this Department based on the residence of the family if the total package of

family benefits payable here was higher than that due from the Northern authorities. However, Family Income Supplement would not be payable as part of this calculation as it is payable only to those working in the State. There are no plans to change the current situation.

173. **Deputy Áine Collins** asked the Minister for Social Protection the criteria which allow a farmer to qualify for farm assist and consequently qualify to work on a rural social scheme. [8359/11]

Minister for Social Protection (Deputy Joan Burton): Farmers aged between 18 and 66 years may apply for farm assist. The scheme is means-tested, taking into account both the farm and off-farm income of the farmer and his/her spouse or partner. In carrying out the means test for farm assist, the Department seeks to establish the likely income of the farmer in the coming 12 months. In doing this, the income in the previous 12 months is examined and allowance is made if there are factors which would affect anticipated income in the future, for example a drop in the price of milk, increased fodder or farming costs.

In order to qualify for a place on the rural social scheme, an individual must have a valid herd number and be in receipt of a qualifying social welfare payment, one of which is farm assist. Participants are required to work 19.5 hours per week with flexibility allowed for on-farm activity. Individuals who are interested in participating on the scheme are advised to contact their local implementing body, who can advise them of the availability of vacancies on the scheme. A list of implementing bodies is available on www.welfare.ie.

174. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the position regarding persons who were self-employed who now find themselves ineligible for any social benefits; and if she will make a statement on the matter. [8362/11]

Minister for Social Protection (Deputy Joan Burton): Self-employed people pay PRSI class S contributions which provide cover for long-term benefits such as State pension (contributory) and widows/widowers pension (contributory). Employees are covered by PRSI classes A, E, H and P, which provide cover for the above benefits as well as for short-term contingencies such as jobseeker's and illness benefits.

PRSI coverage is related to the risks associated with employment or self-employment, the annualised system of contributions for self-employed people and the practicalities of administering and controlling access to short-term payments for self-employed people. Self-employed people pay class S contributions at a rate of 4% per annum, a much lower rate compared to the 14.75% full Class A contributions paid by employees and their employers, and this is reflected in the narrower range of benefits they receive. A system of separate arrangements for employed and self-employed workers within a social insurance context is common in other European social protection systems.

There are no plans to extend cover for short-term benefits to self-employed contributors but I will keep the provision for the group under review. Any such measure would have significant financial implications and would have to be considered in the context of a much more significant rise in the rate of contribution payable.

Self-employed workers who do not qualify for a social insurance-based benefit may establish entitlement to social assistance-based payments such as jobseeker's allowance, subject to a means test. They can apply for the means-tested jobseeker's allowance if their business ceases or if they are on low income as a result of a downturn in demand for their services. A self-employed person's means are assessed in a flexible manner, taking account of the individual's particular situation and the overall economic circumstances. As it is more difficult to predict

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exactly what level of income a self-employed person might earn in the coming year, their income and activity levels in the last 12 months are generally used as a guide to estimate their likely future earnings. However it is not simply assumed that the previous year's earnings will be received in the coming year.

175. **Deputy Eric Byrne** asked the Minister for Social Protection if it is envisaged that mortgage payments will be counted as an outgoing when calculating a person's entitlement to job-seeker's allowance. [8401/11]

Minister for Social Protection (Deputy Joan Burton): Jobseeker's Allowance is a means tested social assistance scheme operated by my Department. For means test purposes, account is taken of the income and assets of both the claimant and his or her spouse/partner including the earnings of the spouse. Where a spouse/partner has earnings from employment, earnings less PRSI contributions, pension contributions and trade union subscriptions are assessed as means. Mortgage payments are not deducted from earnings for means assessment purposes. There are no plans to alter these arrangements.

Social Welfare Benefits

176. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the number of medical doctors currently on the live register and receiving social welfare payments. [8438/11]

Minister for Social Protection (Deputy Joan Burton): The information requested by the Deputy in relation to the number of medical doctors currently on the live register is not readily available within my Department. I can, however, provide the Deputy with data in relation to the general area of health industries currently on the live register. This is set out in the tabular statement.

Live Register Analysis for Week Ending 27/03/2011

Health and Related Industries	Number of Doctors
Childcare and Related Occupations	5,299
Health and Related Occupations	3,473
Health Associate Professionals	2,218
Health Professionals	2,775
Homehelp	772
Total:	14,537

Social Welfare Code

177. **Deputy Maureen O'Sullivan** asked the Minister for Social Protection if she will continue to pay benefits to unemployed persons on FÁS training courses; and if she will make a statement on the matter. [8457/11]

Minister for Social Protection (Deputy Joan Burton): Under social welfare legislation a person who receives a jobseeker's payment must be, inter alia, available for and genuinely seeking work in respect of each day for which unemployment is claimed. Accordingly, a person who is engaged on a full-time training course would not satisfy the required legislative conditions to receive a jobseeker's payment.

However, as FÁS training courses can enhance a person's employability, separate arrangements apply in respect of trainees. Under these arrangements, people in receipt of jobseeker's payments instead receive a FÁS training allowance for the duration of the training course. The training allowance amount payable is set with reference to the maximum social welfare rate appropriate to the trainee's circumstances, with an additional amount of €20 per week payable in addition to this. The area that deals with training in FÁS has its own annual budget to operate this system of allowances.

This arrangement has several advantages. From the trainee's viewpoint, the additional €20 assists towards any transaction costs associated with attending the course. For people who are in receipt of a reduced rate of jobseeker's payment, due, for example, to a means assessment or the application of a graduated rate, the level of payment of the training allowance, at a rate equivalent to maximum jobseeker's rate, can provide a strong financial incentive to participate in training. Additionally, the fact that people leave the Live Register for the duration of the training course can be an important psychological factor in ultimately assisting the transition from welfare to work. These arrangements have been in place for many years and there are no plans at present to change them.

Social Welfare Benefits

178. **Deputy Dominic Hannigan** asked the Minister for Social Protection the number of persons in County Meath who have availed of the mortgage interest supplement in the years 2007, 2008, 2009 and 2010; the level of funding for the mortgage interest supplement in County Meath in the aforementioned years in tabular form; and if she will make a statement on the matter. [8461/11]

Minister for Social Protection (Deputy Joan Burton): The number of recipients of mortgage interest supplement in County Meath at the end of 2007, 2008, 2009 and 2010 is shown in the attached tabular statement. Expenditure on mortgage interest supplement is not available on a county basis.

Number of Recipients of Mortgage Interest Supplement in County Meath, end 2007, end 2008, end 2009 and end 2010

Year	Recipients
2007	169
2008	438
2009	998
2010	1,333

179. **Deputy Dominic Hannigan** asked the Minister for Social Protection the total expenditure in 2009 and 2010 on jobseeker's benefit and jobseeker's allowance in County Meath; if she will provide a breakdown of same on a social welfare administration office basis; and if she will make a statement on the matter. [8462/11]

Minister for Social Protection (Deputy Joan Burton): Expenditure on jobseeker's benefit amounted to €2.005 billion in 2009. Expenditure on jobseeker's allowance for the same period amounted to €1.734 billion. Data for 2010 has not been published to date, however, provisional figures indicate that expenditure for jobseeker's benefit amounted to €1.3 billion in 2010 while expenditure on jobseeker's allowance amounted to €2.8 billion during the same period. A

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breakdown of these figures on a county basis or by administrative office is not maintained within my Department.

Social Welfare Appeals

180. **Deputy Dan Neville** asked the Minister for Social Protection if an oral hearing will be set up as soon as possible in respect of a person (details supplied) in County Limerick; the date and time for the oral hearing for disability allowance. [8483/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the evidence, including that adduced at oral hearing, has disallowed the appeal of the person concerned. The person concerned has been notified of the decision. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Question No. 181 answered with Question No. 171.

Social Welfare Benefits

182. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the options available to a person (details supplied) in County Cork for financial support to prevent the disconnection of their electricity. [8497/11]

Minister for Social Protection (Deputy Joan Burton): Under the supplementary welfare allowance scheme, an exceptional needs payment may be made by the Health Services Executive (HSE) to help meet an essential, once-off cost which the applicant is unable to meet out of his/her own resources. The HSE has advised that it has not received an application for financial assistance under the supplementary welfare allowance scheme from the person concerned. The HSE will forward an application form for supplementary welfare allowance to the person concerned.

183. **Deputy Paudie Coffey** asked the Minister for Social Protection the position regarding an appeal for rent allowance in respect of a person (details supplied) in County Waterford; and if she will make a statement on the matter. [8517/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive has advised that no decision has been made on her application for rent supplement. The HSE has requested the person concerned to provide further information in order to process her application for rent supplement. A decision will be made on her application when the requested information has been provided.

184. **Deputy Pat Breen** asked the Minister for Social Protection the position regarding an application in respect of a person (details supplied) in County Clare; and if she will make a statement on the matter. [8557/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance (DCA) was received on the 24th March 2011. This application has been forwarded to one of the Department's Medical Assessors for a medical opinion. Upon receipt of this opinion a decision will issue to the customer. Currently it takes approximately eight weeks to process an application for DCA.

Departmental Staff

185. **Deputy Sean Fleming** asked the Minister for Social Protection if medical assessors, doctors, nurses and so on, who carry out medical assessments in respect of applications for social welfare payments are being replaced when they leave work and are these posts subject to the recruitment moratorium; and if she will make a statement on the matter. [8565/11]

Minister for Social Protection (Deputy Joan Burton): Government policy dictates that a moratorium applies on the filling of any posts, with exceptions in very limited circumstances only. In view of the importance of the medical assessor post for the control function of the Department, the Department of Finance has approved the filling of medical assessor vacancies as an exception to the general moratorium principle. Arrangements are in place to provide for the presence of nurse attendants at medical in-person assessments — the majority of nurse attendants are engaged on a fee per session basis and as such are not employees of the Department.

Social Welfare Benefits

186. **Deputy David Stanton** asked the Minister for Social Protection the number of persons in receipt of child benefit who are asked to fill out forms in respect of continuing to qualify to receive child benefit; the number of times per annum that these forms are requested; and if she will make a statement on the matter. [8576/11]

Minister for Social Protection (Deputy Joan Burton): The child benefit scheme has, in recent years, experienced significant expansion in the volume of claims received, the rates of payment and the diversity of the customer base. The main reason for undertaking reviews is to ensure that customers are made aware of their obligations with regard to their continued entitlement to child benefit. The control policy for the child benefit scheme has been reviewed to ensure that controls against fraud and abuse of the scheme continue to be effective and relevant. As a result of this review, enhanced and updated control measures have been devised and implemented, which include the automated issue of forms (certificates) to selected groups of customers for completion to confirm they continue to satisfy the conditions for receipt of child benefit.

Employment certificates are issued every four months, to everyone paid under EU regulation 1408/71, irrespective of nationality (and including Irish nationals), to ensure that these customers continue to qualify for child benefit from this State. Residency certificates are issued every four months to all non-Irish national customers, living with their children in Ireland and to all nationalities who are paid Irish child benefit based on their entitlements under EU regulation 1408/71. These groups amount to some 76,000 customers. Certificates have also been issued to some 230,000 Irish customers over the past year asking them to confirm their details and their ongoing entitlement to child benefit. In 2010, a total of 520,000 certificates issued under the various control programmes. The total savings from child benefit control activity was €89M in 2009 and €106M in 2010.

Question No. 187 answered with Question No. 149.

Question No. 188 answered with Question No. 170.

Departmental Functions

189. **Deputy Barry Cowen** asked the Minister for Social Protection if the transfer of the community services programme and the rural social scheme from the Department of Com-

[Deputy Barry Cowen.]

munity, Equality and Gaeltacht Affairs to her Department is now complete; and if she will make a statement on the matter. [8646/11]

Minister for Social Protection (Deputy Joan Burton): From 1st September 2010 policy and funding responsibility for the community services programme and the rural social scheme transferred to the Department of Social Protection. The transfer of functions was provided for in the Social Welfare (Miscellaneous Provisions) Act 2010.

Proposed Legislation

190. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection the reason for the delay in the publication of a gender recognition Bill considering that the Department of Community, Equality and Gaeltacht Affairs was reportedly close to producing proposals before Christmas; further to Parliamentary Question No. 34 of 30 March 2011, if she will detail the nature of the consultation, research and discussion that she indicated in response to the above has yet to take place including the groups and individuals that this will involve and a clear timeframe for same. [8653/11]

Minister for Social Protection (Deputy Joan Burton): The issue of gender recognition is being dealt with by the Gender Recognition Advisory Group which was established by the previous Minister for Social Protection following a Government decision. The group is made up of representatives from various Departments and Offices of State, including the Department of Community, Equality and Gaeltacht Affairs. The group has engaged in an extensive public consultation process and has met with a number of groups and individuals representing the interests of transgender persons. The group has also met with a number of experts in the field.

While I am not privy to the detailed workings of the group, it would be normal that the report of the group would contain the information requested by the Deputy, and I consider it appropriate to await the publication of the report before making any further comment. I understand that the vast bulk of the consultation, research and discussion has taken place, that the drafting of the report is at an advanced stage and that it will be submitted to me in the coming weeks.

As the Deputy will be aware, the legal recognition of transgender persons is a complex area touching on many facets of the person's life. For this reason, it is considered that extensive consultation and research is necessary to identify the issues requiring legislative reform and to enable proposals to be made that are comprehensive and in accordance with best international practice. Legal recognition of transgender persons requires the most careful of consideration, as it not only touches on the lives of transgender persons, but also on their families. Legislative proposals will receive a high priority following receipt of the report of the group.

Ministerial Staff

191. **Deputy Timmy Dooley** asked the Minister for Tourism, Culture and Sport the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8248/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): The number of staff currently assigned to work in my constituency office is 4. They are engaged in normal constituency duties. The grades of the staff are 1 Executive Officer, 1 Clerical Officer, 1 Personal Assistant and 1 Personal Secretary. The numbers employed are in line with the recently issued guidelines on the staffing of Ministers Offices.

Fisheries Protection

192. **Deputy Noel Harrington** asked the Minister for Communications, Energy and Natural Resources his plans to allow island-based small fishing boats a preferential allocation of salmon fishing rights when the ban has had a much greater economic impact on island communities than on the mainland; and if he will make a statement on the matter. [8322/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As the Deputy is aware, the primary motivation in aligning the management of the wild salmon fishery with the scientific advice to cease mixed stock fishing at sea, is the conservation of the wild salmon stocks. It is vital to afford every protection to the at-risk salmon stocks and to clearly prioritise conservation over catch. Ireland must fulfil its obligations under the Habitats Directive, namely to maintain or restore fish stocks, protected by the Directive, to favourable conservation status.

I am advised that there can be no question of relaxing the conservation measures other than in rivers where stocks are meeting conservation limits and where it is established that significant numbers of fish destined for other rivers are not intercepted. It is not envisaged, for these reasons due to the constraints of the Habitats Directive that drift netting in the open seas will be licensed in the future. I am conscious of the impact of the cessation of the seasonal wild salmon fishery on island communities. This was addressed, I understand, in the allocation of funds made available through the Community Support Scheme funded from the Salmon Hardship Fund.

Ministerial Staff

193. **Deputy Timmy Dooley** asked the Minister for Communications, Energy and Natural Resources the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8237/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): There are currently four staff working in my constituency office within my Department in the grades of Personal Assistant, Personal Secretary, Executive Officer and Clerical Officer. The Minister of State at my Department currently has three staff engaged on constituency matters, two Personal Secretaries (each work sharing 50%) and a Personal Assistant. These staff provide assistance to me and the Minister of State on various constituency matters.

Telecommunications Services

194. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Communications, Energy and Natural Resources when the rural broadband scheme will be rolled out; the details of the scheme; the number of dwellings he expects to be serviced by the scheme; and if he will make a statement on the matter. [8263/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives. Using this funding, which will be augmented by an Exchequer contribution, I intend to formally launch a Rural Broadband Scheme in the coming weeks. This scheme will aim to provide a basic broadband service to the small percentage of premises throughout the country that are not currently capable of receiving a broadband service through existing commercial operators or through interventions such as the National Broadband Scheme.

[Deputy Pat Rabbitte.]

It is not possible therefore to make a dependable estimate of the number of households which are likely to be able to avail of the scheme. A key part of the scheme will be to identify those premises seeking a broadband service and to confirm that the premises in question cannot obtain a broadband service in the current market. In a fully liberalised market it is essential to intervene only where the market is unable to provide a service and the Department will be consulting fully with the existing service providers in this respect. Information in relation to acceptance of applications and the process of qualification under the scheme will be made available when the scheme is launched.

Electricity Generation

195. **Deputy Michael McCarthy** asked the Minister for Communications, Energy and Natural Resources if he will address issues raised by a person (details supplied) in relation to the REFIT scheme; the position regarding assessment of the situation as it relates to the person; and if he will make a statement on the matter. [8300/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The commercial operator in question owns a 4.62MW windfarm based in County Cork which was built in 1999 under the Alternative Energy Requirement (AER) 3 competitive tendering scheme. The operator entered a 15-year power purchase agreement with ESB which was the sole contracting partner (as Public Electricity Supplier) for all AERs. The AER scheme is funded under the Public Service Obligations levy.

In late 2008, after some 9 years in AER, the operator took a commercial decision to withdraw from the AER support scheme and participate in the Single Electricity Wholesale Market (SEM) on a stand alone commercial basis. One of the agreed conditions of withdrawing from the AER scheme is that operators/companies have no right of return. The REFIT support scheme which succeeded the AER Scheme is in place to underpin new renewable energy projects and existing operators are not eligible for the Scheme.

Energy Conservation

196. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources his plans to increase the maximum grant allocation to persons under the Sustainable Energy Authority of Ireland home energy saving grant. [8307/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Home Energy Savings Scheme which is administered by the Sustainable Energy Authority of Ireland is available to owners of homes built before 2006, including landlords and owners of multiple properties. The scheme provides grants of up to 40% of the typical cost of upgrade measures, including roof insulation, wall insulation, boiler upgrades and heating control upgrades. There are no plans to increase the maximum grant allocation under this programme. The grant levels set are considered to be optimal given the level of energy savings that can be realised from their implementation, and represent the most cost-effective use of available budgetary resources.

Telecommunications Services

197. **Deputy Michael McCarthy** asked the Minister for Communications, Energy and Natural Resources if he will provide an update on the Skibbereen, County Cork, metropolitan area network project; when work will commence on connecting the fibre optic cable to the national

system; if a supplier has been secured for the provision of the backhaul to the MAN system; and if he will make a statement on the matter. [8478/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): All the metropolitan area networks (MANs) including the MAN in Skibbereen are managed and operated by elnet who were appointed following a procurement process and who make the networks available to the telecommunications sector. All connections to the MANs are whole-sale connections which may be used by the relevant service provider to provide services to multiple end users.

In the case of the Skibbereen MAN, elnet has been exploring various backhaul options with operators in the area. In the event that a business premises in Skibbereen wants broadband services delivered over a fibre connection, elnet would set out the possible options and costs. However, there has been insufficient market demand for fibre connections in Skibbereen to date. elnet remains available at all times to discuss the options for connection to the MAN with interested parties.

198. **Deputy Sean Fleming** asked the Minister for Communications, Energy and Natural Resources his plans to improve the quality and availability of broadband in rural parts of County Laois; and if he will make a statement on the matter. [8512/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The provision of broadband services is in the first instance a matter for private sector service providers operating in Ireland's fully liberalised telecommunications market. Broadband services are provided by private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite. Details of broadband services available in each county can be found on ComReg's website at www.callcosts.ie.

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) represents such an intervention. EU State Aid and competition rules govern how states can intervene in areas where there are existing service providers operating. Accordingly, the NBS is prohibited from providing a service in served areas where to do so would give rise to an unacceptable level of market distortion. I am pleased to say that under the NBS broadband is now available in all Electoral Divisions in the NBS Coverage Area including in County Laois.

It continues to be a priority of the Government that there will be broadband coverage across the entire country. I am aware that there continues to be a small percentage of premises throughout the country that will not be capable of receiving broadband services. This is primarily due to technical and other reasons (suitability of a telephone line, distance from an enabled exchange, no line of sight etc.).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives. Using this funding, which will be augmented by an Exchequer contribution, I intend to formally launch a Rural Broadband Scheme shortly. This scheme will aim to provide a basic broadband service to individual unserved rural premises outside of the NBS areas. Information in relation to acceptance of applications and the process of qualification under the scheme will be made available in due course when the scheme is launched.

Prospecting Licences

199. **Deputy Ann Phelan** asked the Minister for Communications, Energy and Natural

[Deputy Ann Phelan.]

Resources if he will consider changing the old royalty-free tax regime applying to existing oil and gas exploration licences. [8520/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Ireland competes with other countries, both in Europe and further afield, to attract mobile international exploration investment. To that end, it is important that Ireland maintains a licensing regime that appropriately reflects both the risks and rewards of investing in petroleum exploration in the Irish offshore, while ensuring the State receives a fair share of profits where a commercial discovery is made. It is also important that the actual choice of fiscal instruments used does not put Ireland at a relative disadvantage when seeking to attract mobile international exploration investment to Ireland.

Ireland's fiscal terms are tax based and do not include royalty payments. In 1987, Ireland followed the lead of other countries such as the UK and Norway in moving away from a royalty based payments system to a tax based system. Under a tax based system the return to the State is linked directly to the profitability of the individual oil or gas field, as compared to a royalty system where payments are linked to the actual volume of production and do not take account of differences in development cost or actual profitability.

I do not consider that Ireland should move from a tax based fiscal licensing regime to a royalty based regime. A comprehensive review of Ireland fiscal terms was carried out in 2007. This review, which was underpinned by independent economic analysis, considered the appropriateness of Ireland's licensing terms in comparison to other European countries that Ireland competes with for exploration investment. The outcome of that review was the introduction of a profit resource rent tax of up to 15% on top of the 25% corporation tax rate that already applies. The revised licensing terms apply to exploration licences issued since 1st January 2007.

Tax Code

200. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if he will rectify the anomaly whereby the executor of a will who is a homeowner is deemed liable for non-principal private residence charge even if not a beneficiary of the will because the estate vests in the executor during the course of the probate; and if he will make a statement on the matter. [8144/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The Local Government (Charges) Act 2009, which introduced the €200 charge on non-principal private residences, levies the charge on owners of certain residential properties. Legal advice has been sought in relation to the correct approach to be taken where an owner has died and the estate has not yet been vested in a beneficiary. The advice received is to the effect that in such cases there would be no person who would meet the definition of owner in the Local Government (Charges) Act 2009 until either probate has been granted or letters of administration have issued in respect of a property. In a probate case, the legal advice is that the executor would then become the owner for the purposes of the Act until the property becomes vested in the beneficiary. I have no plans to amend the charge on non-principal private residences in this respect at present.

Local Authority Housing

201. **Deputy Dara Calleary** asked the Minister for the Environment, Heritage and Local Government his plans regarding section 90 of the Housing Act 1966 and the Housing (Sale of

Houses to Long-standing Tenants) Regulations 2011; and his plans regarding the incremental purchase scheme. [8172/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): Part 3 of the Housing (Miscellaneous Provision) Act, 2009 provides for an incremental purchase scheme in respect of newly – built houses reserved by housing authorities for the purpose. Regulations to implement the Incremental Purchase Scheme for new homes were made in June 2010.

A new tenant purchase scheme under the provisions of section 90 of the Housing Act, 1966 – the 2011 Tenant Purchase Scheme — was introduced recently to allow local authority tenants to avail of a discount of up to 45% on the market price of a house they are eligible to purchase under the scheme. This scheme applies only to tenants of 10 years standing or longer, and will be open for applications only until the end of this year, 2011. The new scheme does not replace the existing 1995 Tenant Purchase Scheme, which remains in place for tenants with up to 10 years tenancy and provides for a maximum discount of 30%.

However, as announced in June 2010, it remains the intention that the tenant purchase arrangements be wound down in 2012 to be replaced by a new scheme based on the incremental purchase model. This change will require amending legislation. I will consider this issue in more detail as part of the wider review of social housing policy generally which will be undertaken in the coming months. My Department has recently reminded housing authorities to inform all existing tenants of houses of the decision to end the tenant purchase scheme in 2012 so that they have sufficient time to apply to purchase their home under the existing scheme if they so wish.

Ministerial Staff

202. **Deputy Timmy Dooley** asked the Minister for the Environment, Heritage and Local Government the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8241/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): While arrangements for the staffing of the Constituency Offices in my Department are not yet finalised, these Offices, along with the Private Offices, will be staffed in accordance with the agreed reduced staffing limits decided by the Government. Under the Instruction on Ministerial Appointments for the 31st Dáil, I am currently arranging for the appointment of a Personal Secretary who will be assigned to work on constituency matters, along with an Executive Officer and Clerical Officer from my Department's existing staff complement.

Minister of State at the Department of the Environment, Heritage and Local Government, Mr. Willie Penrose, T.D., is arranging for the appointment of a Personal Secretary and Personal Assistant who will be assigned to work on constituency matters, along with a Clerical Officer from my Department's existing staff complement. Minister of State O'Dowd has no staff assigned to constituency matters in my Department.

Proposed Legislation

203. **Deputy Michael McGrath** asked the Minister for the Environment, Heritage and Local Government his plans to introduce legislation or a policy framework to support the voluntary work of residents' associations around the country in the work of maintaining their residential estate. [8261/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): My Department already operates several programmes that support, facilitate and encourage voluntary work for the maintenance and improvement of our living environment. I have recently announced a once-off initiative – Civic Responsibility Week — which will run from 9 to 15 May next, for which I will provide funding totalling €350,000 to local authorities to help improve the visual amenity of their areas, in conjunction with community groups, businesses and the general public.

The Tidy Towns competition (www.tidytowns.ie), operated by my Department, has been the catalyst for intensive voluntary effort for the improvement of our towns and villages since the competition's inception in 1958. In 2010, 764 towns and villages entered the competition, which encourages Tidy Towns groups and local authorities to work closely with each other.

National Spring Clean (www.nationalspringclean.org), which runs each year throughout the month of April, involves thousands of volunteers cleaning up our countryside and cities, towns and villages. This initiative is run by An Taisce and is co-financed by my Department. Local authorities play a central role and co-ordinate and assist events at local level. 2010 was the 12th anniversary of the campaign and was a resounding success with over 525,000 volunteers participating in 5,362 various events.

The Green Home initiative (www.greenhome.ie), operated by An Taisce, is a framework to support and encourage all householders to reduce their environmental impact and to live in a more sustainable manner. This initiative is supported by the EPA under the National Waste Prevention Programme, which is funded from the Environment Fund.

My Department is also currently developing a Greening Communities initiative in conjunction with the Environmental Protection Agency, local authorities, An Taisce and other environmental non-Governmental organisations, and other groups. This initiative will seek to integrate and build upon existing programmes, such as those outlined above. I have no plans to introduce any new legislation in this area and I am satisfied that the suite of measures being funded by my Department, coupled with the legislative measures available to local authorities, particularly in the Litter Pollution and Waste Management Acts, can assist residents' associations to take steps to improve their environments.

Grant Payments

204. **Deputy Éamon Ó Cuív** asked the Minister for the Environment, Heritage and Local Government if he will provide extra top-up compensation to the farmers in the Nephin Beg, Maumturk and Twelve Bens areas who were destocked, in view of the reduction of the agri-environment option scheme grant to €4,000 maximum; and if he will make a statement on the matter. [8299/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The rate of top-up compensation for farmers who were de-stocked in the Owenduff/Nephin Beg and Twelve Bens/Maumturk was agreed between my Department and representatives from the farming organisations, and remains in place. The reduction in the grant for the Agri-Environment Options Scheme is a matter for the Minister for Agriculture, Fisheries & Food.

Building Regulations

205. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government, further to his correspondence of 5 April 2011 to this Deputy in reply to correspondence concerning the Building Control Bill 2005, if he will issue a substantive reply; when he will do so; and if he will make a statement on the matter. [8325/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): A reply will issue within the next few days.

Fire Service

206. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if the pay of a chief fire officer is linked to the pay of a principal officer; and if he will make a statement on the matter. [8348/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The salaries of Chief Fire Officers are aligned to those of engineers in local authorities. The salary scales are set out in the table.

Chief fire Officer (Dublin City Council)		Chief Fire Officer	
Point	Rate 01/01/2010	Point	Rate 01/01/2010
	€		€
1	78,368	1	73,223
2	81,185	2	74,957
3	83,995	3	76,685
4	86,809	4	78,417
5	89,623	5	80,148
LSI 1	92,583	6	81,886
LSI 2	95,540	LSI 1	84,500
		LSI 2	87,117

Departmental Agencies

207. **Deputy Eric Byrne** asked the Minister for the Environment, Heritage and Local Government the housing agencies with which the National Building Agency has been amalgamated; the status of the housing and sustainable communities agency and the position regarding the redeployment of staff from the National Building Agency to other agencies. [8409/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): As part of the rationalisation of state agencies the NBA is due to be wound up over the course of 2011. A new housing agency, the Housing and Sustainable Communities Agency (established on an administrative basis last year), has taken on some of the functions of the NBA, in particular those relating to project management, regeneration and procurement. As part of this process 18 NBA staff have received offers of positions with the new housing agency, 17 of which have been accepted. In addition to this, 4 NBA staff have redeployed to the Sustainable Energy Authority of Ireland and a further 6 have received offers from 2 other agencies, which are currently under negotiation with the Department of Finance. All remaining staff (28) have been referred to the Public Appointments Service (PAS) redeployment system, as provided for under the Croke Park agreement.

The Housing and Sustainable Communities Agency is expected to receive full statutory underpinning over the coming months, following the enactment of the Local Government (Corporate Bodies) (Amendment) Bill, which is on the Government's priority legislation list.

Social and Affordable Housing

208. **Deputy Niall Collins** asked the Minister for the Environment, Heritage and Local

[Deputy Niall Collins.]

Government the position regarding an application for funding in respect of a project (details supplied) in County Limerick; and if he will make a statement on the matter. [8436/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): A proposal was received from Clúid Housing Association under my Department's Capital Loan and Subsidy Scheme (CLSS) in April, 2009 to provide 11 housing units at Ardagh, County Limerick, costing an estimated €2.350 million. Due to the high level of capital commitments on approved projects at that time and the competing demands for the available funding the proposal was not approved. In the interim, a decision was made to discontinue the CLSS.

In June 2010, my Department issued a Call For Proposals under the Capital Assistance Scheme to approved housing bodies to submit, through the relevant local authority, proposals for meeting the accommodation needs of persons with specific categories of housing need, including older persons and persons with a disability. No such proposal was received in respect of a housing scheme for the elderly at Ardagh.

Motor Taxation

209. **Deputy Paudie Coffey** asked the Minister for the Environment, Heritage and Local Government, in the interests of retention of public services and achieving new efficiencies in the administration of motor tax, if he will explore the possibility of transferring the responsibilities for the collection of motor tax and issuing motor tax discs from local authorities to the post office service, similar to that in the UK; and if he will make a statement on the matter. [8455/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 provide that an application for a vehicle licence must be made to a licensing authority. A licensing authority is defined in the Road Vehicles (Registration and Licensing) Order 1958 as amended by the Motor Vehicles (Duties and Licences Act) 2003 as a county council, a corporation of a county borough or the Minister for the Environment, Heritage and Local Government. The Local Government (Roads Functions) Act 2007 and the Road and Road Vehicles (Transfer of Departmental Administration and Ministerial Functions) Order 2007 transferred certain motor tax functions to the Minister for Transport. Under current legislative provisions it is not possible for any other party to issue vehicle licences. However, I have all matters relating to motor tax policy under review.

Turbary Rights

210. **Deputy Frank Feighan** asked the Minister for the Environment, Heritage and Local Government the position regarding farmers who have signed contracts for sale of bogland in special areas of conservation and who have not to date, five years later, received payment; and in view of the fact that a new compensation scheme for bog owners in SAC areas has been introduced, when may those farmers expect to receive payment. [8473/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): In May 2010, the voluntary bog purchase scheme was closed to new applicants; however, there are a number of applications still on-hand. Completion of sales has been slower than anticipated due to capacity constraints in undertaking the conveyancing work involved. My Department will be writing to all remaining applicants under the voluntary purchase scheme in the coming

weeks to outline their options in light of recent policy decisions regarding the availability of alternative compensation arrangements.

Foreshore Licences

211. **Deputy Jim Daly** asked the Minister for the Environment, Heritage and Local Government the position regarding a foreshore licence application in respect of a club (details supplied) in County Cork; and if he will make a statement on the matter. [8508/11]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Willie Penrose): This application was referred to the Chief State Solicitor's Office for legal advice in February 2011 following a challenge to the State's ownership of the foreshore concerned; the applicant was advised of this referral at the time.

Building Regulations

212. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government the position regarding aspects of the Building Control Act 2007 (details supplied); and if he will make a statement on the matter. [8514/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): I refer to the reply to Question No 58 of 24 March 2011 which comprehensively addressed the issues regarding the registration of the title of Architect.

Grant Payments

213. **Deputy Michael Moynihan** asked the Minister for the Environment, Heritage and Local Government when a payment under the hen harrier protection scheme will issue to a person (details supplied) in County Cork. [8543/11]

Minister for the Environment, Heritage and Local Government (Deputy Phil Hogan): My Department is awaiting the requisite annual payment application form and compliance report from the concerned person's approved scheme planner. Once these documents are received, and demonstrate that the person is compliant with the terms of the plan, the payment will issue.

Citizenship Applications

214. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality his views on a matter (details supplied) regarding naturalisation. [8149/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have no plans to reduce the fee payable on the granting of citizenship.

Garda Recruitment

215. **Deputy John O'Mahony** asked the Minister for Justice and Equality when recruitment for An Garda Síochána will commence; and if he will make a statement on the matter. [8131/11]

216. **Deputy John O'Mahony** asked the Minister for Justice and Equality if persons already on the panel for recruitment for An Garda Síochána will be called when recruitment commences; and if he will make a statement on the matter. [8132/11]

217. **Deputy Joe Higgins** asked the Minister for Justice and Equality when the embargo on Garda recruitment will be lifted. [8147/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 215 to 217, inclusive, together.

I refer the Deputies to my reply below to Parliamentary Question No. 6084/11 of 30 March 2011. The position remains unchanged since then.

As the moratorium on Public Service Recruitment continues to apply to An Garda Síochána, no date has been fixed for future intakes into the Garda College or for the commencement of a recruitment competition. A decision on when recruitment will re-commence will take into account the rate of retirement in the Garda Síochána and Government targets for reductions in public service numbers.

Candidates who have been successful at stages one and two of the previous recruitment process have had their names forwarded by the Public Appointments service to the Commissioner. These candidates will be eligible, subject to successfully undergoing the medical examination, the physical competency test and character vetting, for any future intakes into the Garda College when recruitment resumes.

Visa Applications

218. **Deputy John O'Mahony** asked the Minister for Justice and Equality the reason a person (details supplied) was refused a short-stay visa to visit their family; and if he will make a statement on the matter. [8152/11]

Minister for Justice and Equality (Deputy Alan Shatter): The visa application referred to by the Deputy was received in the Visa Office, Dublin on the 6 April 2011 having been forwarded by the Embassy of Ireland, Cairo for decision on the 30 March 2011. The application is currently awaiting consideration by a Visa Officer. Applicants are advised to apply at least eight weeks prior to the proposed date of travel. Visa Officers are currently considering 'visit' visa applications received in the Visa Office, Dublin on the 16 March 2011. Following standard practice, once a decision on the application referred to has been made, the applicant will be informed by way of written correspondence. Details of the decision will also be made available on the website of the Irish Naturalisation and Immigration Service (www.inis.gov.ie) in a manner which protects the confidentiality of the application and the identity of the applicant.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Vetting of Personnel

219. **Deputy Pearse Doherty** asked the Minister for Justice and Equality when an application for Garda vetting was received in respect of a person (details supplied) in County Donegal and when it will be processed. [8165/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that the Garda Central Vetting Unit has no record of a vetting application in respect of the person to whom the Deputy refers. In the circumstances, I can only suggest that the person seeks clarification from the organisation submitting the application.

220. **Deputy Peter Fitzpatrick** asked the Minister for Justice and Equality if he will review the Garda vetting procedures for personnel employed in children's health care units with a view to substantially reducing the time taken for each application. [8188/11]

Minister for Justice and Equality (Deputy Alan Shatter): I do have concerns at the length of time currently being taken to process vetting applications. I recognise that it is important to process these applications within a reasonable time frame both for the benefit of the applicants and the organisations involved. I am informed by the Garda authorities that at present there are a total of five Gardaí, 76 full-time Garda civilian personnel and ten temporary civilian personnel assigned to the Garda Central Vetting Unit (GCVU). This represents a very significant increase in the level of personnel assigned to the unit, which stood at only 13 before the current process of development in Garda vetting began in 2005.

A number of immediate measures are being taken to improve the situation. The sanction of the Department of Finance has been obtained to retain the services of ten temporary employees in the GCVU. A further sanction has been obtained to engage an additional ten temporary employees for the Unit and these are now being recruited. This should have an impact on processing times. In addition, further steps are under consideration with a view to alleviating the pressure on the staff of the GCVU and to reduce the time taken for the processing of applications.

The GCVU, based in Thurles, Co. Tipperary, provides a centralised employment vetting to organisations in Ireland registered with the Garda Síochána for this purpose and which employ or engage persons in a full-time, part-time, voluntary or training capacity to positions where they would have substantial, unsupervised access to children and/or vulnerable adults. This, of course, includes the healthcare sector. I am informed by the Garda Authorities that, at present, the average processing time for vetting applications received at the GCVU is approximately 10 weeks.

The service has been expanded greatly in recent years as part of an ongoing, phased programme to roll-out vetting to an increasing number of organisations in the child and vulnerable adult care sectors. This target group is the clear policy priority. Within this programme the vetting service has now been extended to over 18,000 organisations. The GCVU has managed a substantial increase over recent years in the numbers of vetting applications it receives. The figures since 2006 are as follows:

2006	2007	2008	2009	2010
137,600	187,864	218,404	246,194	291,938

The average processing time for vetting applications fluctuates in line with periods of increased demand. In processing an individual vetting application, additional time may be required in cases where clarification is needed as to the details provided or where other enquiries need to be made, for example, when the person in question has lived and worked abroad. There will always be a reasonably significant time period required to process a vetting application. Registered organisations have been advised to take account of this in their recruitment and selection process. However, the Gardaí make every effort to reduce the time to the minimum possible consistent with carrying out what are very necessary checks.

Criminal Injuries Compensation Tribunal

221. **Deputy John McGuinness** asked the Minister for Justice and Equality, further to Parliamentary Question No. 182 of 30 June 2010, if this application has been decided upon; and if he will make a statement on the matter. [8216/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that under the terms of the Scheme of Compensation for Personal Injuries Criminally Inflicted, the Crimi-

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nal Injuries Compensation Tribunal is entirely independent in the matter of individual applications that fall to be considered under the Scheme. However, to assist the Deputy, I have had enquires made with the Tribunal on his behalf. I understand from the Tribunal that the tragic incident in this case gave rise to three applications to the Tribunal and that all three applications have been submitted to a member of the Tribunal for decision. I am informed by the Tribunal that the applicant will be notified directly as soon as the decisions become available.

Ministerial Staff

222. **Deputy Timmy Dooley** asked the Minister for Justice and Equality the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8245/11]

Minister for Justice and Equality (Deputy Alan Shatter): There is 1 Personal Secretary and 2 Clerical Officers in my constituency office. The staff concerned handle and process representations made to me on matters of concern to constituents.

Garda Investigations

223. **Deputy Finian McGrath** asked the Minister for Justice and Equality the position regarding a traffic incident in respect of persons (details supplied) in Dublin 5. [8259/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that local Garda management is aware of the incident referred to, which occurred on 8 April, 2011 and was reported to Coolock Garda Station. It is currently being investigated by Gardaí who have spoken to the complainants, who will be kept informed of the progress of the investigation. As the investigation is ongoing, it would be inappropriate for me to comment further at this time.

Liquor Licensing Laws

224. **Deputy Peter Mathews** asked the Minister for Justice and Equality his plans to tackle the promotion and sale of cheap alcohol; his further plans to amend opening hours for off licences; his plans to sign section 16 of the Liquor Act 2008; and if he will make a statement on the matter. [8270/11]

Minister for Justice and Equality (Deputy Alan Shatter): The position is that section 16(1)(b) of the Intoxicating Liquor Act 2008 provides for the making of regulations to prohibit or restrict licensees from selling or supplying alcohol products at a reduced price or free of charge on the purchase of any quantity of alcohol or any other product or service. Draft regulations have been drawn up but have not been implemented to date pending agreement on a joint North/South approach to restricting alcohol promotions. Preliminary discussions on such a joint approach have already taken place between officials on both sides and I am confident that agreement can be reached at ministerial level without undue difficulty. Such a joint approach is needed in order to ensure that the effectiveness of measures introduced by regulations under section 16 would not be undermined or substantially offset by increased cross-border purchasing of alcohol.

As regards below-cost sales of alcohol, the position is that the previous Government agreed in March 2009 to include alcohol in the National Substance Misuse Strategy and a Steering Group was subsequently established to develop proposals for integrating alcohol misuse into that Strategy. I understand that the Steering Group, which operates under the aegis of the

Department of Health, has been examining a range of issues relating to alcohol availability and pricing and is due to submit its report, including policy recommendations, later this year.

The Government Alcohol Advisory Group made recommendations for restricting the hours during which alcohol could be sold for consumption off the premises in their March 2008 Report. The Group had been requested to examine the public order aspects of excessive alcohol consumption and had recommended restrictions with a view to reducing the incidence of public order offences. The Group's recommendations were subsequently given statutory effect in the Intoxicating Liquor Act 2008. Under section 4 of the Act, such sales are permitted only between 10.30 a.m. (12.30 p.m. on Sundays) and 10.00 p.m.

Citizenship Applications

225. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will review an application in respect of a person (details supplied) in Dublin 3. [8308/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in November 2009. The application is currently being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case. In response to Parliamentary Question Number 7104/11 of the 7th April last, I outlined that I have initiated steps to provide for speedier processing of applications.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Courts Service

226. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality the steps he will take or the legislation he will introduce to protect those in ward of court who have lost on investments made by the Courts Service. [8316/11]

227. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality the controls or due diligence audits being carried out on investments made by the Courts Service; the persons that monitor these investments and if he will confirm if the Courts Service still invests in the shares and stocks market. [8317/11]

228. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality his proposal for those who were granted ward of court status and substantial awards which are now nearly worthless some of whom are denied allowances, medical cards, free fuel and so on and on whom the universal social charge applies. [8318/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 226 to 228, inclusive, together.

Jurisdiction in Wards of Court matters is vested in the High Court. The Courts are, subject only to the Constitution and the law, independent in the exercise of their judicial functions and, therefore, it is not open to me as Minister to comment in any way. Section 4(3) of the

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Courts Service Act 1998 Act provides that the Courts Service is independent in the performance of its functions, which are specified in section 5 and includes the management of the Courts.

Court funds which are held for the benefit of Wards of Court are private funds under the control of the Courts Service which, through its offices in the High, Circuit and District Courts, has responsibility for the management and investment of funds in court. These funds, which currently amount to approximately €1.137 billion at 30th September 2010, are managed in a fiduciary capacity by the Courts Service on behalf of more than 18,000 beneficiaries. Approximately 2,300 of these are wards of court. Also included are minors and various categories of litigant. Funds under the control of the Courts are required by law to be invested in accordance with the Trustee (Authorised Investments) Act 1958 and the orders made thereunder.

The Courts Service operates a conservative investment policy. Over 98% of court funds are held in cash based assets, with 1% invested in bonds and only 1% exposure to equities. All investments carry some degree of risk. In line with international experience, court funds were impacted by the turbulence on world financial markets, particularly in 2008. Despite the impact of the credit crisis, very few actual losses were incurred in individual cases. All funds have fully recovered to pre-financial crisis levels.

A major modernisation programme for the governance and management and investment of court funds commenced in 2003 and has resulted in:

- improved governance through the establishment of an Investment Committee, chaired by the President of the High Court. Its membership includes external independent experts. Annual financial statements are audited by independent external auditors and published on the Courts Service website at www.courts.ie;
- access to independent investment and risk management advice through the engagement of independent investment advisors to ensure its investment policies are in compliance with the relevant legislation and best practice;
- investment strategies have been implemented to ensure a consistent approach to the investment of all court funds. The unitised funds used have been approved by the Financial Services Regulatory Authority;
- following a competitive EU procurement independent external fund managers were appointed in 2003 to manage these funds. The performance of the fund managers is monitored by both the investment advisors and the Investment Committee on a regular basis.

While there will always be fluctuations in the value of investments from time to time, over the seven year period of the new investment strategies being in operation, there has been good investment performance. In the most recent financial year, ended 30th September 2010, all court funds experienced positive investment performance. The cumulative investment growth since the new funds were established in 2003 has ranged from 18.5% to over 40%. This represents strong growth despite the impact of the credit crisis on financial markets. Finally, the Deputy may be interested in the Report and Financial Statements of the Office of the Accountant of the Courts of Justice for the year ended 30 September, 2010 which are published on www.courts.ie.

Citizenship Applications

229. **Deputy Paudie Coffey** asked the Minister for Justice and Equality the position regarding

a naturalisation application in respect of a person (details supplied) in County Waterford; when the application will be finalised; and if he will make a statement on the matter. [8332/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in September 2008. The application is currently being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case. In response to Parliamentary Question Number 7104/11 of the 7th April last, as seen below, I outlined that I have initiated steps to provide for speedier processing of applications.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in October 2009. The application is currently being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case.

I am unhappy with the length of time it takes to process citizenship applications. I have initiated steps within my Department to provide for a speedier processing of applications and to bring about a substantial reduction in the time scale. When the Department is in a position to implement these new arrangements an announcement will be made.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Complaints Procedures

230. **Deputy Clare Daly** asked the Minister for Justice and Equality if his attention has been drawn to the fact that many complaints which are referred to the Garda ombudsman are actually investigated by gardaí themselves due to lack of resources; his plans to increase the resources of the Garda ombudsman services or to give the ombudsman greater power to actually discipline gardaí; in view of the above issues, his views that the most recent policing problems at a location (details supplied) whereby women protesters in the custody of gardaí were spoken about in terms of sexual violence should be investigated independently, not by other gardaí, and that an independent, international investigation of the policing of the project should take place; and if he will make a statement on the matter. [8336/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Síochána Act 2005 sets out the role of the Garda Síochána Ombudsman Commission (GSOC). The Act establishes GSOC as a key element of the policing framework. This role is essential in ensuring that public confidence in the Gardaí is safeguarded. An effective police complaints system must be capable

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of dealing appropriately and proportionately with a diverse range of allegations against the police in accordance with the seriousness of the complaint and its possible implications. As such, GSOC employs a number of different methods of investigation depending on the nature of the complaint. If a complaint warrants a formal investigation:

- GSOC may decide to refer the complaint to the Garda Commissioner for investigation under the Disciplinary Regulations. If complainants are not happy with the outcome of such an investigation, they can request that the Garda Ombudsman conduct a review of the case;
- As well as referring a complaint to the Garda Commissioner as above, GSOC actively supervises some of these Garda investigations; In addition, GSOC can take over either unsupervised or supervised investigations and process them itself, should it feel that such a step is required;
- GSOC may also conduct investigations of its own from the beginning. In addition, Direct investigations by GSOC will always be carried out in cases involving the death of, or serious harm to, a person as a result of Garda operations or while in the custody or care of An Garda Síochána, or in cases involving potential criminality.

GSOC is not empowered to take disciplinary action against a member of the Garda Síochána — it is empowered to recommend disciplinary action to the Garda Commissioner. Under section 26 of the Garda Síochána Act 2005 it is the Commissioner who has statutory responsibility for the direction and control of the Garda Síochána. GSOC has significant powers to enable it to perform its statutory functions. In direct investigations, its investigating officers have designated police powers. It has the authority to make recommendations to the Garda Commissioner concerning disciplinary proceedings, and also to send a file to the Director of Public Prosecutions (DPP) where it feels that the conduct under investigation may constitute an offence.

In relation to the particular incident to which the Deputy refers, GSOC responded quickly and commenced an investigation on April 5th 2011 under Section 102(4) of the Garda Síochána Act 2005. This section of the Act empowers GSOC to investigate matters where the Commission feels it is in the public interest to do so. The investigation is being conducted by GSOC designated officers. I have been informed that the investigation has been given high priority and it is hoped that it will be concluded at an early stage. I have full confidence in the independence and effectiveness of GSOC in investigating Garda conduct, and I see no basis for the suggestion that there should be an international investigation of the policing of this protest.

Departmental Internships

231. **Deputy Clare Daly** asked the Minister for Justice and Equality his plans for allowing students who apply to do so to carry out internships in Departments while they are still in college, in order to gain experience in the areas in which they are studying. [8337/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am pleased to say that my Department has been offering internship opportunities for a number of years, focusing primarily, but not exclusively, on law graduates and final year law students. The Department has also been actively engaging with the FÁS Work Placement Programme (WPP) and has given work experience to a number of unemployed graduates under the Programme. I am committed to building on these solid foundations to provide work experience in a range of areas across the Justice and Equality sectors into the future.

Citizenship Applications

232. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality the position regarding a naturalisation application in respect of a person (details supplied) in County Wexford; when a decision will issue; and if he will make a statement on the matter. [8416/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in March 2010. The application is currently being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case. In response to Parliamentary Question Number 7104/11 of the 7th April last, I outlined that I have initiated steps to provide for speedier processing of applications.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

233. **Deputy John Lyons** asked the Minister for Justice and Equality the position regarding the EU treaty rights application in respect of a person (details supplied); and when a decision is expected on this application. [8429/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Immigration Division of my Department that the person concerned made an application for a residence card as the non EU family member of an EU citizen. The person referred to by the Deputy was informed of the decision to refuse this application on 2 December, 2010. A request by the applicant for a review of this decision was received on 17 December, 2010. All applications for review are dealt with in chronological order of date of receipt and the decision to refuse this application remains under review. Each application for review is examined on its own merits and a decision on the outcome of this review will be communicated as soon as possible.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Detention Centres

234. **Deputy Brendan Ryan** asked the Minister for Justice and Equality if his attention has been drawn to the food procurement policies of detention centres (details supplied); if these goods are sourced from outside the State; and if so, the rationale for same. [8450/11]

Minister for Justice and Equality (Deputy Alan Shatter): The procurement processes used by Children Detention Schools follow EU policies and regulations in accordance with guidelines from the Department of Finance. These policies and regulations require that procurement of services, such as the provision of foodstuffs, in excess of a certain cost threshold, must be open to bidders across the European Union.

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An Invitation to Tender for the Provision of Foodstuffs to the Children Detention Schools issued in November 2009 on E-tenders, (the Government's on-line tendering site) and in the Official Journal of the European Union. There were six contract categories awarded to preferred bidders in 2010, of which five have headquarters in the State and one, in relation to dry goods, was awarded to a company which operates across the country and has its headquarters in Co. Down. The contracts in question will run for a period of two years. The selection of the preferred bidders was based on the response to the criteria set out in the Invitation to Tender and on the best prices being quoted. Information on procurement is available on the National Procurement Service website, www.procurement.ie.

Private Security Authority

235. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of organisational licences and individual licences issued by the Private Security Authority in each of the years 2007, 2008, 2009 and 2010; the revenue emanating from these licences, in tabular form; and if he will make a statement on the matter. [8466/11]

236. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of staff employed by the Private Security Authority; the number of these involved in investigation of licences; and if he will make a statement on the matter. [8467/11]

237. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of complaints received by the Private Security Authority in each of the years 2007, 2008, 2009 and 2010 in tabular form; and if he will make a statement on the matter. [8468/11]

238. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of cases referred to the Garda by the Private Security Authority in 2009 and 2010; the number which went to prosecutions; the number which have failed; and if he will make a statement on the matter. [8469/11]

239. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality the number of cases the Private Security Authority has taken against persons or organisations for operating without a licence in the years 2007, 2008, 2009 and 2010; and if he will make a statement on the matter. [8470/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 235 to 239, inclusive, together.

The Private Security Authority (PSA), an independent body under the aegis of my Department, is responsible for the licensing and regulation of the Irish security industry. I have been informed by the Authority that since commencing licensing in 2006, the PSA has processed over 57,500 applications. As a result, there are currently over 730 contractors and over 27,000 individuals licensed to provide certain security services. The Authority has transformed the security industry in Ireland by improving standards, setting training requirements and ensuring that criminal record checking has been carried out for those working in the sector.

Two types of licences are issued by the Authority — one for contractors and one for individuals. The first table provides details of the number of contractor licences in each of the sectors currently licensed by the Authority. The number of contractors licensed is greater than the number of contractors mentioned above (730), as some contractors operate in more than one sector.

Table 1 — Contractor Licences issued for each sector between 2007 and 2010

Year Licence Issued	Door Supervisor	Security Guard (Monitoring)	Security Guard (Static)	Installer (Intruder) Alarms	Cash In Transit	Total
2006	45	15	251	282	0	593
2007	53	19	278	490	0	840
2008	56	22	254	501	0	833
2009	71	26	263	491	0	851
2010	71	29	239	494	23	856

The first licences for individuals were issued by the Authority in 2008. Table 2 outlines the number of licences granted in this regard. As with contractor licences, some individuals will hold a licence for both sectors. Both contractor and individual licences are issued for a 2 year period.

Table 2 — Individual Licences issued for each sector between 2008 and 2010

Year Licence Issued	Door Supervisor (Licensed Premises)	Security Guard (Static)	Total
2008	5,035	13,828	18,863
2009	8,647	20,069	28,716
2010	8,931	19,373	28,304

The revenues received by the Authority from licence fees for the years since 2007 are set out in the following table. Over the period 2007-2010 the Authority received €9.67 million in funding from the Exchequer while fee income amounted to €9.76 million.

Table 3 — Total Licence fees received by the Authority between 2007 and 2010

Year	Contractor	Individual	Total
	€	€	€
2007	392,253	1,905,168	2,297,421
2008	2,019,000	750,590	2,769,590
2009	716,294	1,146,939	1,863,233
2010	1,454,300	1,373,163	2,827,463

The Authority has a staff of 34 headed by the Chief Executive Officer. The number of staff assigned to Enforcement Division is nine, of which four are full time Inspectors appointed under Section 14 of the Private Security Services Act 2004.

The Authority receives formal complaints made in accordance with Section 39 of the aforementioned Act and a large number of ‘informal complaints’. The total number of formal complaints received by the Authority for the period in question is 41 and table 4 outlines the breakdown, per annum, of those received. The wearing of an Identity Badge by licensed individuals became mandatory on 1 September 2009 and the Deputy will note that, since then, there has been a substantial increase in the number of formal complaints against licensed individuals. During the same period, 2007 to 2010, the Authority received over 3,300 informal complaints through its reporting mechanisms. The number of such reports is also set out as follows as are the number of cases investigated and completed by the Authority.

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Table 4 — Complaints and Investigations between 2007 and 2010

Year	Number of formal complaints	Number of informal complaints received	Number of cases investigated and completed
2007	1	1,230	1,802
2008	2	853	1,644
2009	10	704	1,620
2010	28	526	1,828

With regard to the Deputy's query regarding the number of cases referred by the Authority to the Gardaí, I would like to clarify that An Garda Síochána do not take prosecutions on behalf of the Authority. Instead, the Authority bring their own prosecutions under the Private Security Services Act 2004. The relevant details are outlined as follows:

Table 5 — Prosecution cases between 2007 and 2010

Year	No. of cases successfully prosecuted	No. of cases where prosecution was unsuccessful
2007	11	2
2008	6	2
2009	7	0
2010	7	1

Garda Deployment

240. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí by rank in each local and district drugs unit. [8490/11]

Minister for Justice and Equality (Deputy Alan Shatter): The most recent readily available statistics relate to the strength of each Divisional Drug Unit as of 28th February 2011 and these are set out in the table. It should be noted that Divisional drug units are supported in their operations by members of the Garda National Drugs Unit, the strength of which was 52 on the same date.

Division				Total
DMRNC	0	2	11	13
DMRN	0	4	29	33
DMRE	0	2	11	13
DMRS	0	4	26	30
DMRW	0	5	31	36
Waterford	0	1	8	9
Wexford	0	1	11	12
Kilkenny/Carlow	0	2	9	11
Tipperary	0	0	8	8
Cork City	1	3	23	27
Cork North	0	0	8	8
Cork West	0	1	5	6
Kerry	0	1	9	10

Division				Total
Limerick	0	3	18	21
Donegal	1	1	9	11
Cavan/Monaghan	0	2	9	11
Sligo/Leitrim	0	1	6	7
Louth	0	1	6	7
Clare	0	1	8	9
Mayo	0	1	5	6
Galway	0	1	11	12
Roscommon/Longford	0	1	6	7
Westmeath	0	1	8	9
Meath	0	1	9	10
Kildare	0	2	4	6
Laois/Offaly	0	0	2	2
Wicklow	0	2	9	11
Total	2	46	316	364

241. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of gardaí by rank in each crime scene investigation unit. [8491/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that on the latest date for which figures were readily available, there were 160 scenes of crime examiners. The following table provides the Garda personnel qualified as Scenes of Crime Examiners in each Garda Division nationwide.

Scenes of Crime Unit

Division	Sergeant	Gardaí	D/Gardaí
DMR North Central	1	5	0
DMR South Central	1	7	1
DMR North	1	5	2
DMR South	1	7	0
DMR East	1	7	0
DMR West	1	8	0
Cavan Monaghan	1	4	0
Donegal	1	5	0
Louth	1	4	0
Sligo Leitrim	1	4	0
Cork City	1	4	2
Cork North	0	3	0
Cork West	0	3	0
Kerry	1	3	1
Limerick	0	5	0
Kildare	1	4	0
Laois Offaly	1	5	0
Meath	1	4	0
Westmeath	1	4	0
Wicklow	0	5	0

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Division	Sergeant	Gardaí	D/Gardaí
Clare	1	4	0
Galway	1	7	0
Roscommon/Longford	2	5	0
Mayo	1	4	0
Carlow/Kilkenny	0	4	0
Tipperary	1	4	0
Waterford	0	5	0
Wexford	0	3	0

Divisional Scenes of Crime personnel and Senior Investigating Officers investigating serious crime are supported by expert personnel attached to the Garda Technical Bureau comprising the following personnel :

Superintendent	Inspector	Sergeant	Gardaí	Civilians
1	3	14	70	7

Visa Applications

242. **Deputy Seán Kenny** asked the Minister for Justice and Equality the number of persons refused entry into Ireland by each port of entry for the years 2007, 2008, 2009, 2010 and to date in 2011; the nationality of the persons refused entry and the reasons they were denied entry. [8492/11]

Minister for Justice and Equality (Deputy Alan Shatter): Section 4 of the Immigration Act, 2004, empowers an immigration officer, on behalf of the Minister, to authorise a non-national to land or be in the State. Sub-section (3) of Section 4 enumerates, at (a) to (k), eleven circumstances which an immigration officer may, on behalf of the Minister, have regard to in refusing to give such authorisation. The following table shows the number of persons refused permission to enter the State each year from 2007 to date in 2011 (valid to 31 March, 2011) by each Port of entry:

Port	2011	2010	2009	2008	2007
Border with N. Ireland	1	6	12	16	21
Cobh	2	2			1
Cork Airport	18	123	160	188	231
Cork Port		6	2	3	3
Donegal Int'l Airport		2		4	
Drogheda			5	3	6
Dromad			1		
Dublin Airport	507	2,017	2,717	3,773	4,214
Dublin Port	4	135	119	139	181
Dún Laoghaire		32	41	167	221
Dundalk	103	502	545	725	595
Galway Airport		3		9	11
Kerry Airport		14	9	20	14
Knock Int'l Airport	6	12	15	12	

Port	2011	2010	2009	2008	2007
Limerick		1			2
Monaghan	1	3	7	8	
Other	3	28	35	57	45
Rosslare Port	12	94	68	115	143
Shannon Airport	3	50	119	132	152
Sligo Airport		1	2		
Waterford Port					3
Waterford Reg. Airport				9	11
Total	660	3,031	3,857	5,380	5,854

The following table shows the number of persons refused permission to enter the State for each year from 2007 to date in 2011 (valid to 31 March, 2011), under each specific subsection of the Immigration Act, 2004:

Subsection.	Reason for refusal	2011	2010	2009	2008	2007
a	That the non-national is not in a position to support himself or herself and any accompanying dependants.	65	279	514	737	558
b	That the non-national intends to take up employment in the State, but is not in possession of a valid employment permit (within the meaning of the Employment Permits Act 2003).	16	86	179	214	136
c	That the non-national suffers from a condition set out in the First Schedule;	0	0	0	1	2
d	That the non-national has been convicted (whether in the State or elsewhere) of an offence that may be punished under the law of the place of conviction by imprisonment for a period of one year or by a more severe penalty.	0	8	7	5	7
e	That the non-national, not being exempt, by virtue of an order under Section 17, from the requirement to have an Irish visa, is not the holder of a valid Irish visa	179	917	1,009	1,221	1,074
f	That the non-national is the subject of — (i) a deportation order (within the meaning of the Act of 1999) or (ii) an exclusion order (within the meaning of that Act), or (iii) a determination by the Minister that it is conducive to the public.	2	32	37	42	22
g	That the non-national is not in possession of a valid passport or other equivalent document, issued by or on behalf of an authority recognised by the Government, which establishes his or her identity and nationality	182	913	1,006	1,215	1,384

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Subsection.	Reason for refusal	2011	2010	2009	2008	2007
h	That the non-national — (i) intends to travel (whether immediately or not) to Great Britain or Northern Ireland, and (ii) would not qualify for admission to Great Britain or Northern Ireland if he or she arrived there from a place other than the	99	309	418	639	497
i	That the non-national, having arrived in the State in the course of employment as a seaman, has remained in the State without the leave of an immigration officer after the departure of the ship in which he or she so arrived	0	1	1	0	2
j	That the non-national's entry into, or presence in, the State could pose a threat to national security or be contrary to public policy	2	53	64	56	36
k	That there is reason to believe that the non-national intends to enter the State for purposes other than those expressed by the non-national.	284	1,144	1,619	2,338	2,583
	Total	829	3,742	4,854	6,468	6,301

A non-national may be refused permission to enter the State under more than one of the above-listed legislative provisions. Therefore the figures recorded in the above table may differ from the number provided in the break-down on an annual basis in the first table above.

The nationality of a person who has been refused leave to land may not be established at the time of arrival in the State, particularly in circumstances where the passport or identification card produced to an immigration officer is discovered to be bogus. In accordance with the provisions of Immigration Act, 2004, every refused person is served a notice in which the reason, or reasons, for refusing an application for a permission to enter the State, is detailed. Information relating to the nationality of persons refused permission to enter the State for each year from 2007 to 2011 is not readily available.

Citizenship Applications

243. **Deputy Jim Daly** asked the Minister for Justice and Equality when a decision will issue in relation to an application for naturalisation in respect of a person (details supplied); and if he will make a statement on the matter. [8506/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in February 2010. The application is currently being processed in the normal way with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision in due course. While the average time from application to decision is 25 months, processing requirements and time taken to carry out necessary checks vary from case to case. In response to Parliamentary Question Number 7104/11 of the 7 April last, I outlined that I have initiated steps to provide for speedier processing of applications.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by Email using the Oireachtas Mail facility which has been

specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Belturbet Bombing

244. **Deputy Sean Fleming** asked the Minister for Justice and Equality if an investigation is being carried out in respect of the Belturbet bomb on the 28 December 1972; and if he will make a statement on the matter. [8511/11]

Minister for Justice and Equality (Deputy Alan Shatter): The bombing in Belturbet on 28 December 1972 was a savage atrocity which claimed the lives of two young and innocent people, Geraldine O'Reilly and Patrick Stanley, and grievously bereaved their families. In the immediate aftermath of this appalling act, the Garda Síochána launched an investigation into the incident. Unfortunately, however, it did not prove possible to make any person amenable for the murders of the two teenage victims. Nevertheless, I am informed by the Garda authorities that the investigation file on the matter remains open, and any further lines of inquiry arising in consequence of new information from any quarter will be actively pursued by the Garda Síochána.

Court Accommodation

245. **Deputy Ann Phelan** asked the Minister for Justice and Equality the situation regarding the deteriorating condition of the court house at a location (details supplied) in County Kilkenny; the future use of same; and if he will make a statement on the matter. [8571/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am asking the Chief Executive of the Courts Service for a report in the matter and I will revert to the Deputy when this is to hand.

Irish Red Cross

246. **Deputy Finian McGrath** asked the Minister for Defence, in view of his commitment to good corporate governance practice, if he has concerns that the executive committee and the central council of the Irish Red Cross has a number of members who have served continually on the board for between ten and 20 years, in breach of internationally recognised good governance practice, including that of the International Federation of the Red Cross/Red Crescent and the International Committee of the Red Cross; and if he will make a statement on the matter. [8251/11]

Minister for Defence (Deputy Alan Shatter): My Department is engaged in consultations with the Office of the Attorney General on the extent of changes that can be made to the Irish Red Cross Order 1939. Following receipt of legal advice from the Office of the Attorney General, which is expected in the coming weeks, I will review the legislative changes that are proposed and consider bringing them to Government for approval. Amongst the issues that will be considered will be the question of introducing mandatory breaks in service.

247. **Deputy Finian McGrath** asked the Minister for Defence if the Irish Red Cross intends to carry out an independent investigation into claims made by the IRC whistleblower and pending the outcome of that investigation to re-instate the sacked former head of the international department as per calls made by Transparency International — Ireland in December 2010 and again in March 2011; and if he will make a statement on the matter. [8252/11]

Minister for Defence (Deputy Alan Shatter): The Irish Red Cross Society is an independent statute based charitable organisation with full power to manage and administer its affairs through its governing body, the Central Council. The Irish Red Cross Order 1939, which established the Society in Ireland, does not make any provision for the Government to intervene in the day to day administration of the Society. Furthermore, there is an obligation on Governments to protect the independence of national Red Cross organisations. The dismissal of the employee in question is an internal disciplinary matter for the Society. Accordingly, disciplinary issues that arise within the Society must be addressed in the context of a normal employer/employee relationship without interference by Government. All parties to the disciplinary action are of course entitled to seek independent legal advice.

248. **Deputy Finian McGrath** asked the Minister for Defence when he expects to be in a position to appoint a replacement to the central council of the Irish Red Cross following the recent resignation of one of its Government nominated members for personal reasons; and the way he intends to choose the replacement.. [8253/11]

Minister for Defence (Deputy Alan Shatter): My Department was recently informed of the resignation, for personal reasons, of one of the previous Government's nominees on the Central Council of the Society. When I have had an opportunity to consider how this vacancy might be filled, I will bring a Memorandum to Government for decision.

249. **Deputy Finian McGrath** asked the Minister for Defence his plans to put aside the governance reform proposals submitted by the Irish Red Cross last year pending the outcome of the detailed legal review of the governance and structures of the IRC as per the programme for Government; and if he will make a statement on the matter. [8254/11]

Minister for Defence (Deputy Alan Shatter): As the legislation that governs the Irish Red Cross Society substantially dates back to the pre World War II era, I believe it is now opportune to carry out a comprehensive review of the legislation governing the operation of the Society. The recommendations of the Working Group on Governance Reform will be considered as part of the review of the legislation governing the Irish Red Cross Society.

250. **Deputy Finian McGrath** asked the Minister for Defence if, in the absence to date of the production and publication by the Irish Red Cross of a 2009 annual report or a 2010 annual report, he will assure Dáil Éireann that he is satisfied that the nearly €2 million of taxpayers' money given by him to the Irish Red Cross in 2009 and 2010 has been effectively and efficiently spent; if he will inform Dáil Éireann when the 2009 and the 2010 IRC annual reports may be expected; and the reason for the delay in producing same. [8255/11]

Minister for Defence (Deputy Alan Shatter): I am satisfied that the money granted to the Irish Red Cross Society in 2009 and 2010, which covers the administration of the Irish Society as well as an annual contribution from Ireland to the International Committee of the Red Cross, has been properly spent. The 2009 Accounts have been independently audited and published. I understand that the 2010 Accounts are on schedule for finalisation and publication shortly. As regards the Annual Reports covering 2009 and 2010, I understand that one composite report, covering both years, will be published in the next few months. The delay in publication can be partially attributed to the changes in senior personnel that have taken place in recent months.

251. **Deputy Finian McGrath** asked the Minister for Defence if he has approved annual grant-in-aid funding for 2011 to the Irish Red Cross and the amount of same; his views on

whether this is a prudent use of taxpayers' money in view of the extensive revelations in the media (details supplied) during 2010 regarding financial issues within the Irish Red Cross. [8256/11]

Minister for Defence (Deputy Alan Shatter): The Irish Red Cross Society is supported by an annual grant from the Department of Defence vote. The grant is paid in quarterly amounts to the Society. The total grant for 2011 is set at €951,000 and was approved as part of the 2011 Estimates process. The grant makes an important contribution towards the administration and running costs of the Irish Society. Provision is made in each year's grant for the Government's annual contribution to the International Committee of the Red Cross. The contribution is paid by the Society on behalf of the Government. An amount of €130,000 is included in the total grant for this purpose.

252. **Deputy Finian McGrath** asked the Minister for Defence the actions he has taken to date to carry out a detailed legal review of the governance and structures of the Irish Red Cross as per the commitment given in the programme for Government; and if he will make a statement on the matter. [8257/11]

Minister for Defence (Deputy Alan Shatter): The Programme for Government provides for the initiation of a detailed legal review of the basis, structures and governance of the Red Cross in Ireland to improve its functioning in the light of changing circumstances.

As the legislation that governs the Irish Red Cross Society substantially dates back to the pre World War II era, I believe it is now opportune to carry out a comprehensive review of the legislation governing the operation of the Society. In 2007 a resolution was passed by the Council of Delegates of the International Federation of Red Cross and Red Crescent Societies (IFRC) which urged all National Societies to examine and update their Statutes — the rules of the National Societies — and the related legal texts. Arising from this, governance reform has been undertaken by many Red Cross and Red Crescent Societies around the world in accordance with the "Guidance for National Society Statutes" and relevant International Conference resolutions.

I am aware that a Working Group to propose changes in the governance of the Society was established by the Irish Red Cross in 2008. The Chairman of the Working Group presented the findings, which included changes recommended by the International Federation, to the Central Council of the Irish Red Cross Society at a meeting held in November 2009. The Working Group's report was then submitted to the Department of Defence early last year.

Following the Department's review of these proposals and the related legislation, a draft Order that would amend the Irish Red Cross Order 1939 was submitted to the Office of the Attorney General. The 1939 Order sets out the basis upon which the Society is governed and was made pursuant to the Red Cross Act 1938. Discussions with the Office of the Attorney General on the extent of changes that can be made to the 1939 Order are continuing. Following receipt of legal advice from the Office of the Attorney General, which is expected in the coming weeks, I will review the legislative changes that are proposed and consider bringing them to Government for approval.

Finally, it is important to note that whatever changes may be made to the 1939 Order, a comprehensive review of all Red Cross legislation, and in particular the primary legislation, will be commenced by my Department as a matter of priority. In this regard, I believe that an overriding principle should be to ensure that whatever legislative changes are made have the full support of the International Federation of Red Cross and Red Crescent Societies.

253. **Deputy Aodhán Ó Ríordáin** asked the Minister for Defence the progress made in initiating a detailed review of the basis, structures and governance of the Irish Red Cross, as outlined in the programme for Government; and if he will make a statement on the matter. [8440/11]

Minister for Defence (Deputy Alan Shatter): The Programme for Government provides for the initiation of a detailed legal review of the basis, structures and governance of the Red Cross in Ireland to improve its functioning in the light of changing circumstances.

As the legislation that governs the Irish Red Cross Society substantially dates back to the pre World War II era, I believe it is now opportune to carry out a comprehensive review of the legislation governing the operation of the Society. In 2007 a resolution was passed by the Council of Delegates of the International Federation of Red Cross and Red Crescent Societies (IFRC) which urged all National Societies to examine and update their Statutes — the rules of the National Societies — and the related legal texts. Arising from this, governance reform has been undertaken by many Red Cross and Red Crescent Societies around the world in accordance with the “Guidance for National Society Statutes” and relevant International Conference resolutions.

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254. **Deputy Dara Calleary** asked the Minister for Defence if he will elaborate on the commitment in the programme for Government to initiate a detailed legal review of the basis, structures and governance of the Red Cross here; and if he will make a statement on the matter. [8408/11]

Minister for Defence (Deputy Alan Shatter): The Programme for Government provides for the initiation of a detailed legal review of the basis, structures and governance of the Red Cross in Ireland to improve its functioning in the light of changing circumstances. As the legislation that governs the Irish Red Cross Society substantially dates back to the pre World War II era, I believe it is now opportune to carry out a comprehensive review of the legislation governing the operation of the Society.

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Finally, it is important to note that whatever changes may be made to the 1939 Order, a comprehensive review of all Red Cross legislation, and in particular the primary legislation, will be commenced by my Department as a matter of priority. In this regard, I believe that an overriding principle should be to ensure that whatever legislative changes are made have the full support of the International Federation of Red Cross and Red Crescent Societies.

Defence Forces Operations

255. **Deputy Catherine Murphy** asked the Minister for Defence if the upsurge in the prevalence of improvised explosive devices throughout the country is placing a strain on the resources of the Defence Forces; in view of this upsurge in both the Republic and Northern Ireland, the measures he has taken or will take to address the ability of persons or groups to produce such devices; the effect the increased sophistication in such devices is having on the ability of the Defence Forces and Garda; and if he will make a statement on the matter. [8669/11]

Minister for Defence (Deputy Alan Shatter): I am satisfied that the Defence Forces have the necessary resources and capabilities to meet the current threat. The level of threat is kept under constant review by both An Garda Síochána and the Defence Forces, including their respective intelligence services. Whilst responsibility for apprehending and bringing those involved in the production of such devices rests with An Garda Síochána, the Defence Forces, pursuant to their role in providing Aid to the Civil Power, assist the Gardaí as required.

Requests made by An Garda Síochána for assistance in dealing with a suspect device or for the removal of old ordnance are responded to by the Explosive Ordnance Disposal (EOD) Team in the relevant Brigade.

The challenge of dealing with the increasing level of sophistication in the preparation of IEDs is and will continue to be an integral part of the training that is provided to members of the Defence Forces who provide a unique response capability within the State to deal with such incidents. Apart from the significant levels of training which EOD Teams receive, the Defence Forces are also provided with specialised modern equipment in order to allow personnel to operate safely in dealing with incidents involving suspect devices. These capabilities have been enhanced and developed over many years in operational environments both at home and

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overseas and through continuing liaison with international agencies. The effectiveness of the Defence Forces in this very important function has undoubtedly saved many lives.

To date in 2011, the Defence Forces' Explosive Ordnance Disposal Teams have had 66 call outs compared to a total of 192 in 2010 and 196 in 2009. Of the 66 call outs to date this year, nine devices were found to be viable IEDs.

Ministerial Staff

256. **Deputy Timmy Dooley** asked the Minister for Defence the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8354/11]

Minister for Defence (Deputy Alan Shatter): I do not have a constituency office in the Department of Defence. My constituency office is based in the Department of Justice & Equality. The Minister of State at my Department, Mr. Paul Kehoe T.D., does not have any staff from the Department of Defence in his constituency office, which is based in the Department of the Taoiseach.

International Agreements

257. **Deputy Richard Boyd Barrett** asked the Minister for Defence his views on requirements for increased spending on defence under the Lisbon treaty; and if he will make a statement on the matter. [8386/11]

Minister for Defence (Deputy Alan Shatter): While the Lisbon Treaty states that Member States shall undertake progressively to improve their military capabilities, it imposes no obligation in this regard nor can the Union require any Member State to increase expenditure or investment on defence. The amount a Member State spends on defence and the nature of its military capabilities are solely a matter for national decision and the EU has no role or competence in the matter. The provisions in the legal guarantees, secured by Ireland and attached to the Lisbon Treaty, clearly state that the Lisbon Treaty “does not affect the right of Ireland or any other Member State to determine the nature and volume of its defence and security expenditure and the nature of its defence capabilities”. Therefore, there is no requirement under the Lisbon Treaty for increased spending on defence.

Common Foreign and Security Policy

258. **Deputy Richard Boyd Barrett** asked the Minister for Defence his views in relation to the EU military strategy based on battle groups in view of the legal support given to this strategy in the Lisbon treaty, in particular Article 28A.3 TEU (Article 42.3 TEU consolidated) which states that member states shall make civilian and military capabilities available to the Union for the implementation of common security and defence policy; and if he will make a statement on the matter. [8387/11]

Minister for Defence (Deputy Alan Shatter): The European Union's Common Security and Defence Policy (CSDP) forms an integral part of its Common Foreign and Security Policy (CFSP) and provides the Union with an operational capacity to undertake peacekeeping and crisis management missions outside the territory of the Member States. In addition to military tasks, there is a significant civilian and humanitarian dimension. CSDP enables the EU to strengthen international security in accordance with the principles of the United Nations Charter.

Ireland's participation in CSDP takes place within the framework of our commitment to the primacy of the United Nations in the maintenance of international peace and security. Based on the provisions of the Treaty on European Union, amended by the Lisbon Treaty, Ireland has continued to participate in the ongoing development of EU military and civilian crisis capabilities under CSDP. Ireland is committed to making its civilian and military capabilities available to the Union to implement its CSDP.

The EU has the capability to deploy forces at high readiness, broadly based on the Battlegroups concept. Since 1 January 2007, the EU has had two Battlegroups on permanent standby for a period of six months at a time. The purpose of these Battlegroups is to provide a rapid level of response to developing international crises, allowing the EU to intervene during the critical early stages.

Participation in Battlegroups is just one of a number of ways in which Ireland contributes to the EU's CSDP. Ireland participated in the Nordic Battlegroup, with Sweden, Finland, Norway and Estonia, which was on standby during the first half of 2008. Ireland is currently participating once again in the Nordic Battlegroup, which is on standby until 30 June 2011. In 2010 the Government approved Ireland's participation in the Austrian/German Battlegroup, which will be on stand-by for the second six months of 2012. The other members of the Austro-German Battlegroup are Austria, Germany, Czech Republic, Croatia and the Former Yugoslav Republic of Macedonia (FYROM).

Participation in CSDP imposes no obligation on a Member State to participate in any EU operation, including Battlegroups. The deployment of troops and personnel remains the exclusive prerogative of each Member State, to be decided in accordance with its own national decision making processes. Under the legal guarantees secured by Ireland there is no fundamental change to the Irish approach to supporting EU actions in CSDP. The guarantees state that "It will be a matter for Ireland and any other Member State, to decide, in accordance with any domestic legal requirement, whether or not to participate in any military operation".

Defence Forces Strength

259. **Deputy Bernard J. Durkan** asked the Minister for Defence his expectations or preferred options in respect of the Defence Forces with particular reference to strength, equipment, levels of training, telecommunications, supply and transport; and if he will make a statement on the matter. [8526/11]

Minister for Defence (Deputy Alan Shatter): Officials in my Department, in consultation with their military colleagues, are currently critically examining defence expenditure as part of the comprehensive spending review, which was recently announced by Government. In line with the required consolidation in public finances, the aim will be to ensure that the Defence organisation can continue to operate effectively and efficiently in the delivery of all its roles assigned by Government.

Defence Forces Personnel

260. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of posts on promotion or otherwise awaiting approval at present; and if he will make a statement on the matter. [8527/11]

Minister for Defence (Deputy Alan Shatter): Resulting from the Government Decision regarding the reduction of public service numbers and the reduced budgetary provision available for 2009, recruitment, promotions and acting up appointments in the Permanent Defence Force were suspended. However, in order to maintain the ongoing operational capability of

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the Defence Forces, a limited number of exceptions to the application of the measures to the Permanent Defence Force were obtained from the Minister for Finance, in June 2009. Official confirmation and details relating to the Employment Control Framework (ECF) were received on 18 October 2010 from the Department of Finance. The ECF is based on a figure of 10,000 all ranks Permanent Defence Force personnel, appropriately configured across the Army, Naval Service and Air Corps to enable them meet the roles assigned by Government.

Officials from the Department together with the Military Authorities are in the process of reviewing the structures and posts required to meet the operational requirements of the Permanent Defence Force in accordance with the upper limits in ranks provided for in the ECF. Currently targeted recruitment and promotion is ongoing within the Permanent Defence Force within the context of the agreed Employment Control Framework and subject to the resources available within the Defence Budget.

Overseas Missions

261. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which he has received requests from the EU or UN for participation in overseas peacekeeping missions by the Defence Forces; the likely number of personnel to be involved; the most likely locations; if any special training programmes are envisaged; and if he will make a statement on the matter. [8528/11]

262. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent, if any, to which the Defence Forces are likely to be deployed overseas in the foreseeable future; and if he will make a statement on the matter. [8529/11]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 261 and 262 together.

Ireland has offered, through the United Nations Standby Arrangements System (UNSA), to provide up to 850 military personnel for overseas service at any one time. This figure equates to some 10% of Ireland's standing Army (excluding Reserves) and demonstrates Ireland's commitment to the cause of international peace. This is the maximum sustainable commitment that Ireland can make to overseas peacekeeping operations. Ireland is currently contributing 130 Defence Forces personnel to 11 different missions throughout the world. Full details of all personnel currently serving overseas are listed in the tabular statement.

The main overseas missions, in which Defence Forces personnel are currently deployed, are the EU-led operation ALTHEA in Bosnia and Herzegovina, with 44 personnel and the NATO-led International Security presence (KFOR) in Kosovo with 12 personnel. Other personnel are serving as monitors and observers with the United Nations and the Organisation for Security and Cooperation in Europe (OSCE). Staff are also deployed at the organisational headquarters of the EU, OSCE and NATO.

With regard to future deployments, Ireland receives requests, from time to time, in relation to participation in various missions and these are considered on a case-by-case basis. When considering any particular request, the existence of realistic objectives and a clear mandate, which has the potential to contribute to a political solution, consideration of how the mission relates to the priorities of Irish foreign policy and the degree of risk involved are amongst the factors considered.

Ireland has been requested to provide a contingent of the Permanent Defence Force for service with the United Nations Interim Force in Lebanon (UNIFIL). Later this week I will be

moving a motion in the House seeking approval for the despatch of a Defence Forces contingent of some 440 personnel for service with UNIFIL. If the proposed deployment is approved by the House, the total number of personnel deployed overseas will amount to approximately 570 when the contingent is fully deployed in late June. This represents a significant contribution to international peacekeeping operations and the obligations Ireland has assumed through its membership of the UN. No special training programmes, over and above the requisite pre-deployment training for contingents being deployed overseas, are envisaged.

On 1 April 2011, the Council of the European Union adopted the decision, underpinning the mandates of UN Security Council Resolutions 1970 and 1973 (2011), to establish an operation called “EUFOR Libya” in order to stand ready to support humanitarian assistance in the region, if requested by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). Ireland has been requested to deploy two Defence Forces personnel to the Operational Headquarters in Rome. This matter is currently under consideration in my Department and any such proposal will be subject to Government approval under the Defence Acts. Apart from the above requests, no other deployments are planned or envisaged at this time.

Members of the Permanent Defence Force Serving Overseas as of 1st April 2011

	Location	No.
1.	UN Missions	
(i)	UNIFIL (United Nations Interim Force in Lebanon) HQ	9
(ii)	UNTSO (United Nations Truce Supervision Organisation) – Israel, Syria and Lebanon	12
(iii)	MINURSO (United Nations Mission for the Referendum in Western Sahara)	3
(iv)	MONUSCO (United Nations Stabilisation Mission in the Democratic Republic of the Congo)	3
(v)	UNOCI (United Nations Mission in Ivory Coast)	2
	Total	29
	<i>UN Mandated Missions</i>	
(vi)	EUFOR (EU-led Operation in Bosnia and Herzegovina)	44
(vii)	EUTM Somalia (EU-led Training Mission in Uganda)	5
(viii)	KFOR (International Security Presence in Kosovo) – HQ	12
(ix)	ISAF (International Security Assistance Force in Afghanistan)	7
TOTAL NUMBER OF PERSONNEL SERVING WITH UN MISSIONS		97
2.	Organisation for Security and Co-operation in Europe (OSCE)	
(i)	OSCE Mission to Bosnia & Herzegovina	2
ii)	OSCE Mission in Belgrade — Serbia	1
(iii)	Staff Officer, High Level Planning Group, Vienna	1
TOTAL NUMBER OF PERSONNEL SERVING OSCE		4
3.	EU Military Staff Brussels	6
4.	Nordic Battlegroup HQ Staff — Sweden	13
5.	Military Representatives/Advisers/Staff	
(i)	Military Adviser, Permanent Mission to UN, New York	1
(ii)	Military Adviser, Irish Delegation to OSCE, Vienna	1
(iii)	Staff Appointments, Irish Delegation to OSCE, Vienna	1

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	Location	No.
(iv)	Military Representative to EU (Brussels)	4
(v)	Liaison Office of Ireland, NATO/PfP (Brussels)	2
(vi)	Military Representative to NATO/PfP Co-ordination Cell/Supreme Headquarters Allied Powers Europe (SHAPE), Mons, Belgium	1
TOTAL NUMBER OF DEFENCE FORCES PERSONNEL SERVING OVERSEAS		130

Grant Payments

263. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their payment for the agri-environment options scheme 2010; and if he will make a statement on the matter. [8137/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the EU Regulations governing the Agri-Environment Options Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. Payment will issue to the person named at the earliest possible date once these checks have been completed.

Animal Identification Scheme

264. **Deputy Éamon Ó Cuív** asked the Minister for Agriculture, Fisheries and Food, further to Parliamentary Question No. 75 of April 2011, the reason he believes a system for food traceability and disease control and public safety is more important for goats and horses than for deer; and if he will make a statement on the matter. [8156/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Ireland's system of mandatory registration of animals, including goats and horses, is in accordance with the EU requirements on identification for live animals. Farmed deer does not require individual registration under EU law at this time. The development of a registration and tagging system for deer can be considered by my Department only when a number of critical identification issues with sheep, goats, pigs and horses have been resolved.

The European Food and Feed Hygiene Regulations (Hygiene Package) set out the principles and requirements of EU food law. These require food business operators, at all stages of production, processing and distribution within the businesses under their control, to ensure that foods satisfy the requirements of food law. In relation to traceability, the regulations require that the operator must have systems in place to identify any person from whom they have been supplied with a food and to identify any other businesses to which their product has been supplied. I am satisfied that the meat establishments, including game handling establishments approved by my Department, meet the traceability standards required under this legislation.

The TB Control plan introduced for goats in 2008 and applicable to other non bovine milk yielding animals is a requirement under Annex III, Section 9, Chapter 1.1.1. 2. (b) (ii) of EU Regulation 853/2004. The purpose of the Control Plan, which must be approved by the Department, is to establish the TB status of the herd and to put in place a strict monitoring regime to ensure the detection of TB infection at an early stage. All non-bovine herds supplying a processor with milk to manufacture dairy product must have an approved TB control plan in place before the supplier commences operation. Purchasers of goat and other non-bovine milk have been instructed not to purchase from a supplier without evidence that the herd is TB free and must also be provided with a copy of the approved Plan.

Harbours and Piers

265. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and Food if he will respond to an issue (details supplied); and if he will make a statement on the matter. [8179/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Responsibility for the management of Howth Harbour transferred to the Minister for the Marine in 1989 with Howth being designated a Fishery Harbour Centre with effect from 1 January 1990. At that date all property within the boundary of the Fishery Harbour Centre was transferred to the Minister. There were a number of sitting tenants in place at that time and the Department took over the administration of their lease agreements.

There are 62 properties/sites in the Fishery Harbour Centre which are considered suitable for tenant occupancy, of which 45 are currently let under lease/licence to private tenants and 14 are leased/licensed to other state agencies. The remaining 3 sites are currently vacant. The duration of lease and the rent payable varies according to the terms of the individual lease. At the inception of a lease and at the time of each rent review (as set out in the terms of the lease) the Open Market Value of each premises is decided by a qualified valuer.

It is the current policy of my Department that any property available for rent is advertised in accordance with the public procurement guidelines. My Department is not in a position to disclose confidential details of possible or ongoing discussions with third parties relating to commercial transactions.

Grant Payments

266. **Deputy Dan Neville** asked the Minister for Agriculture, Fisheries and Food if he will review a single farm payment in respect of a person (details supplied) in County Limerick. [8184/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named was the subject of an inspection by the Animal Health Division of my Department on 15 February 2010. This inspection uncovered discrepancies that involved the failure to notify movements of cattle to the Cattle Movement and Monitoring System. A report detailing these discrepancies was subsequently made available to the Cross Compliance Unit of the Single Payment Scheme.

As similar discrepancies had been recorded at inspections in 2007 and 2009 the breaches recorded in 2010 were deemed to be repetition and intentional which resulted in a 45% penalty being recorded against the 2010 payments of the person named. The person named was informed of this decision on 6th of May 2010 and of his right to seek a review. He was also informed of his right to appeal the outcome of any review to the Independent Agriculture Appeals office. A request for review has recently been received and is currently being considered. The person named will be informed of the outcome as soon as it is available.

Aquaculture Licences

267. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food the position regarding recent licence applications for mussel farm sites at a location (details supplied) in County Kerry; and if he will make a statement on the matter. [8189/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): My Department has received a number of new applications for sites in Killmackilloge harbour which are currently being processed in the normal way, including a period of public consultation. The consideration

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of these applications has not as yet reached the public consultation phase. In addition, once a decision is made this may be appealed by any member of the public to the Aquaculture Licences Appeals Board. The process, therefore, provides ample opportunity for any member of the public to voice concerns about such applications, both before and after the initial decision.

Ministerial Staff

268. **Deputy Timmy Dooley** asked the Minister for Agriculture, Fisheries and Food the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department [8236/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The following is the information requested.

Grade	No. employed	Duties
Clerical Officer	3.3	Clerical duties mainly dealing with constituency correspondence and telephone queries.
Personal Assistant	2 (1 full time equivalent)	Dealing with issues raised by constituents and liaising with representative groups and local press.
Personal Secretary	2	Dealing with current constituency issues and miscellaneous queries from constituents. Co-ordination of diary commitments in constituency. (Minister Coveney) Managing constituency office, dealing with queries and liaising with local authorities (Minister of State Mc Entee).

Grant Payments

269. **Deputy Seán Ó Fearghail** asked the Minister for Agriculture, Fisheries and Food when payment of a suckler herd scheme application will issue in respect of persons (details attached) in County Kildare; and if he will make a statement on the matter. [8260/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): This person named registered 41 animals under the 2010 Suckler Welfare Scheme. All of the application validation processes are now complete and payment in full will shortly be issued to the applicant.

Direct Payment Schemes

270. **Deputy Pádraig Mac Lochlainn** asked the Minister for Agriculture, Fisheries and Food if he has introduced a new stricter interpretation of what is eligible land for the single farm payment, different from that during the initial reference period of 2000 to 2002 with the result that many farmers are finding it difficult to avail of the payment; and if so, if he will reverse this stricter interpretation. [8265/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Payments under the Single Payment Scheme may be made only in respect of eligible land and applicants under the Scheme are obliged annually to declare the land parcels available to them. Details of the eligible area of the land parcels are recorded on the Department's Land Parcel Identification

System (LPIS). Details of the use and area claimed for each of some one million parcels on the LPIS system are registered and continually monitored by the Department.

While the rules governing land eligibility and penalties to be applied are defined in EU Regulations (which, for ease of reference, are detailed in the Scheme Terms and Conditions booklet that issues to all applicants), it is the responsibility of all applicants to ensure that the details in each year's application are accurate. Therefore, applicants are advised of the need to confirm their right to declare such parcels and to make the appropriate deductions (e.g. in respect of houses, farm buildings, roadways, scrub, etc.) to the area of eligible parcels, as necessary.

In order to draw down full SPS payment, applicants must have an "eligible hectare" to accompany each entitlement. In this context, an "eligible hectare" is land that is used for an agricultural activity and includes land used to grow cereals, oilseeds, short rotation coppice, miscanthus, protein crops, sugar beet, maize, fodder beet, turnips, mangolds, kale, grass for silage or hay or grazing. While there is no obligatory set-aside, arable land may of course be claimed as Green Cover, Fallow or Regeneration if this best suits the applicant's farming practice.

For land to be eligible a number of further conditions have to be complied with namely:

The land must be used and managed by the applicant. The land must be suitable for and compatible with the farming enterprise.

There must be independent access for animals and/or machinery. Independent access means access by public or private roadway or by a defined right of way. Access over adjoining landowners land is not acceptable.

There must be appropriate fencing for the farming enterprise. Appropriate fencing means stock-proof fencing that will control the applicant's animals and also the neighbouring farmer's animals. In mountain/hill areas this generally means sheep fencing.

There must be defined external boundaries except in the case of commonage.

If, at inspection, the applicant claims to be farming the land with animals then the type of animals must be appropriate to the land and there must be handling facilities available to meet the animals' welfare requirements.

Practically all agricultural land is now eligible for SPS payments with the exception of land under permanent crops, forestry that was planted prior to 2009 with the exception of Forestry Set-aside, forestry planted on eligible land, or any land used for non-agricultural purposes (golf courses, etc.).

The Single Payment Scheme is fully funded by the European Union and the relevant Competent Authorities in each Member State are obliged to ensure that the requirements of the governing EU Regulations are observed and that only valid applications that fully comply with the requirements are paid. The administration of the Scheme in each Member State is subjected to close scrutiny by officials of the EU Commission and the EU Court of Auditors to ensure that the regulatory requirements are met and that the Schemes are applied in a uniform manner across the European Union.

271. Deputy John O'Mahony asked the Minister for Agriculture, Fisheries and Food when a decision will issue on an appeal in respect of a person (details supplied) in County Mayo; and if he will make a statement on the matter. [8295/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The application failed the environmental profile check and a letter issued informing the person named that he was ineligible for the scheme. The person named submitted an appeal and based on the additional information supplied the applicant was informed that the appeal was successful. A letter notifying the person named of this decision has now issued.

Fisheries Protection

272. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food if he will consider addressing a matter (details supplied); and if he will make a statement on the matter. [8314/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The EU Fisheries Councils in November and December 2008 adopted a new Cod Recovery Plan, as set out in Council Regulation (EC) No. 1342/2008 and Annex IIa of the 2009 TAC and Quota Regulation (EC) No. 43/2009. These Regulations are applicable to the fishing fleets of all Member States fishing with specified fishing gears in the relevant sea areas. Under these Regulations, Ireland and other relevant Member States are required to introduce and implement a licensing regime to manage its allocation of fishing effort – days at sea limits in areas VIa (north west of Ireland) and VIIa (the Irish Sea) for vessels using specified gear types. Ireland does not have discretion under this regulation to unilaterally exempt any vessel from compliance with these regulations. However under Article 11 of the EU Regulation, there exists the possibility of the EU Commission granting an exemption for vessels fishing with highly selective gear and pursuing cod-avoiding fishing trips.

In 2010 Ireland successfully made a case to the EU Commission under Article 11 in respect of 3 vessels that have used highly selective gear (the Swedish Grid) in their fishing gear. These vessels will no longer be subject to effort restrictions in Area VIIa while using the specified gear. In addition, in March this year my Department submitted an application for exception from EC Regulation 1342/2008 for five vessels under Article 11 to operate in the southern part of Area VIa using whitefish fishing gear. The case made was prepared by the local fishermen in consultation with the Marine Institute. The case is currently being evaluated by the EU Scientific, Technical and Economic Committee. I am hopeful of a positive outcome.

My Department will support any application made by vessel owners which meets the requirements for exemption from effort restriction under Article 11 of Council Regulation (EC) No. 1342/2008. Vessel owners wishing to adapt their fishing gear to use cod avoidance measures should contact Bord Iascaigh Mhara for further information.

Direct Payment Schemes

273. **Deputy Noel Harrington** asked the Minister for Agriculture, Fisheries and Food his plans regarding any additional percentage payment on environmental schemes in acknowledgement of the additional costs of farming on the islands; and if he will make a statement on the matter. [8320/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Payments under agri-environmental schemes must be made in accordance with the terms of Ireland's Rural Development Programme as approved by the European Commission. The current approval for the Agri-environment Options Scheme makes no provision for additional payments to island farmers. It is not my intention to bring forward proposals to amend the existing Commission approval to allow for such additional payments.

Agricultural Education Programmes

274. **Deputy Noel Harrington** asked the Minister for Agriculture, Fisheries and Food his plans to introduce distance learning programmes for students who are attending agricultural colleges on the part-time courses (details supplied); and if he will make a statement on the matter. [8321/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the Agriculture, (Research, Training and Advice) Act, 1988, Teagasc has statutory responsibility for the provision of education, research and advisory services to the Agriculture sector. It is a matter for Teagasc and its Board to prioritise activities in the delivery of these services and to allocate its resources in accordance with these priorities. Teagasc has earned a well-deserved reputation for delivering high-quality and relevant education programmes for people with aspirations of a career in agriculture or those seeking employment in ancillary industries. Courses are available in farming, horticulture, equine and forestry throughout the extensive network of Teagasc agricultural colleges, regional education centres and local centres.

The question of distance learning programmes for students attending agricultural colleges on a part time basis is a matter for Teagasc. I understand from Teagasc that students on the mainland can complete the Advanced Certificate in Agriculture online. Because of the practical nature of the training and the need for skills assessment, this programme involves attendance at the Agricultural College/Regional Education Centre for twelve days approximately. Members of island farming families are similarly eligible to complete this programme in the very same way as those from the mainland. The combination of online learning and face to face learning is recognised as an excellent teaching methodology.

Grant Payments

275. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Mayo will receive their outstanding 25% REPS 4 payments; and if he will make a statement on the matter. [8396/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced the contract period in REPS 4 in August 2009 and received the year 1 payments in November and December 2009. The first instalment of 75% of the year 2 payment was paid on 24th March 2011. Payment of the balancing 25% payment cannot be made until outstanding checks are finalised and compliance with the scheme conditions has been fully established. Payment will issue to the person named at the earliest possible date once all checks have been completed.

276. **Deputy Sean Fleming** asked the Minister for Agriculture, Fisheries and Food if a payment may be made to a farmer (details supplied) in County Laois in respect of loss of earnings due to the bad weather; and if he will make a statement on the matter. [8400/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): There was no scheme operated by the Department of Agriculture, Fisheries and Food to compensate beet farmers for losses incurred due to the adverse weather conditions in 2010.

Animal Welfare

277. **Deputy Terence Flanagan** asked the Minister for Agriculture, Fisheries and Food the action he will take regarding greyhounds (detail supplied); and if he will make a statement on the matter. [8413/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Bord na gCon is a commercial State Body. The Board of Bord na gCon is responsible for leading and directing the activities of the Company. My Department is aware that Bord na gCon is exploring possible business opportunities in China and has recently made a submission to my Department in this regard. My Department will consider the Bord na gCon proposal and form a view based on the case presented to it. My Department is always mindful of the need to ensure the welfare of animals.

Bord na gCon has repeatedly confirmed its commitment to the highest standards of animal welfare in the greyhound industry. Any proposal to export greyhounds from Ireland to China would require the establishment and agreement of export health certification protocols with the Chinese authorities, and appropriate transport arrangements would have to be put in place to ensure the welfare of the animals in transit. My Department endeavours to ensure that all exporters comply with Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.

All Member States of the EU including Ireland are working to promote better animal welfare internationally and in this regard Ireland has introduced national legislation giving effect to Regulation (EC) No. 1523/2007 of the European Parliament and Council dated 11 December 2007 banning the marketing, import to or export from, the Community of cat and dog fur and products containing such fur.

Grant Payments

278. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Fisheries and Food the position regarding a grant in respect of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [8418/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The case referred to by the Deputy is being examined within my Department and a further reply will issue to the person named as soon as possible.

279. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Fisheries and Food the position regarding the payment from the suckler cow welfare scheme in respect of a person (details supplied) in County Wexford; and if he will make a statement on the matter. [8419/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named registered 2 beef breed animals in 2009 and 4 beef breed animals in 2010 under the Suckler Welfare Scheme. To date payment has issued in respect of one animal. Errors have been identified on the remaining animals. A letter regarding these errors was issued to the applicant by my Department on 1st April 2011 and a reply is awaited.

280. **Deputy Patrick O'Donovan** asked the Minister for Agriculture, Fisheries and Food the position regarding single farm payment in respect of a person (details supplied) in County Wexford; when final payment will issue; and if he will make a statement on the matter. [8420/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under EU Regulations governing the Single Payment Scheme entitlements must be used at least once in each two-year period. 'Used' in this context means that a Single Payment application must be submitted and a hectare of eligible land declared in respect of each entitlement held. Entitlements that remain unused are reverted to the National Reserve. The person named did not submit a Single Payment application in 2009 or 2010. A letter issued to him on 18th January 2011 stating

that 14.2 unused entitlements had been reverted to the National Reserve due to non-usage and informing him of his right to appeal this decision.

The person named submitted an appeal on 28th January 2011 stating that the entitlements were unused during 2009 and 2010 due to ill-health. My Department has requested medical evidence in support of this claim and on receipt of this evidence a full review of the case will be carried out and the person named will be notified of the result in writing.

Animal Welfare

281. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food if he will review a matter (details supplied) regarding greyhounds. [8443/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Bord na gCon is a commercial State Body. The Board of Bord na gCon is responsible for leading and directing the activities of the Company. My Department is aware that Bord na gCon is exploring possible business opportunities in China and has recently made a submission to my Department in this regard. My Department will consider the Bord na gCon proposal and form a view based on the case presented to it. My Department is always mindful of the need to ensure the welfare of animals.

Bord na gCon has repeatedly confirmed its commitment to the highest standards of animal welfare in the greyhound industry. Any proposal to export greyhounds from Ireland to China would require the establishment and agreement of export health certification protocols with the Chinese authorities, and appropriate transport arrangements would have to be put in place to ensure the welfare of the animals in transit. My Department endeavours to ensure that all exporters comply with Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.

All Member States of the EU including Ireland are working to promote better animal welfare internationally and in this regard Ireland has introduced national legislation giving effect to Regulation (EC) No. 1523/2007 of the European Parliament and Council dated 11 December 2007 banning the marketing, import to or export from, the Community of cat and dog fur and products containing such fur.

282. **Deputy Peter Mathews** asked the Minister for Agriculture, Fisheries and Food his plans to give approval to Bord na gCon to allow the Irish Greyhound Board to send Irish greyhounds to the People's Republic of China; if his attention has been drawn to the fact that China does not have a good track record regarding its treatment of animals; and if he will make a statement on the matter. [8456/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Bord na gCon is a commercial State Body. The Board of Bord na gCon is responsible for leading and directing the activities of the Company. My Department is aware that Bord na gCon is exploring possible business opportunities in China and has recently made a submission to my Department in this regard. My Department will consider the Bord na gCon proposal and form a view based on the case presented to it. My Department is always mindful of the need to ensure the welfare of animals.

Bord na gCon has repeatedly confirmed its commitment to the highest standards of animal welfare in the greyhound industry. Any proposal to export greyhounds from Ireland to China would require the establishment and agreement of export health certification protocols with the Chinese authorities, and appropriate transport arrangements would have to be put in place to ensure the welfare of the animals in transit. My Department endeavours to ensure that all

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exporters comply with Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.

All Member States of the EU including Ireland are working to promote better animal welfare internationally and in this regard Ireland has introduced national legislation giving effect to Regulation (EC) No. 1523/2007 of the European Parliament and Council dated 11 December 2007 banning the marketing, import to or export from, the Community of cat and dog fur and products containing such fur.

Grant Payments

283. **Deputy Pearse Doherty** asked the Minister for Agriculture, Fisheries and Food if his attention has been drawn to the fact that the sheep census form for 2010 was mislaid by his Department in respect of a person (details supplied) in County Donegal; if he will conduct an investigation into same; if this person will receive the outstanding payment; and if he will make a statement on the matter. [8460/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I assume that the Deputy is referring to the 2009 census form which was used to calculate the first instalment of the Grassland Sheep Scheme which was paid to eligible flock owners in February this year. My Department's records show that the person named did not return a 2009 census form until October 2010 which was after the deadline for receipt of the 2009 census.

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 13th May 2010.

While an application under the 2010 Single Payment Scheme and other area-based schemes was received from the person named on 17 May 2010, as it was found that the person named had not submitted the Sheep Census Return by the deadline of 9 April 2010, as required, no payment is due under the Grassland Sheep Scheme to the person named.

284. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied); and if he will make a statement on the matter. [8507/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The holding of the person concerned has been restricted under the TB and Brucellosis Eradication Scheme since 6 May 2009. Following the recent resolution of a discrepancy issue in the herd, a payment of €4,329.65 in respect of On Farm Market Valuation payments for reactor animals removed in July 2010 issued to the herdowner concerned on 13 April. The DVO has written to the herdowner on 5th April 2011 requesting him to provide outstanding documentation in respect of reactor animals valued and removed in November 2010 and February 2011. Payments due will be processed following receipt of this documentation.

Departmental Bodies

285. **Deputy Michelle Mulherin** asked the Minister for Agriculture, Fisheries and Food the date on which Bord Iascaigh Mhara processed the application of Iascairí Chois Chósta Iorrais Teoranta for the Marine Stewardship Council Standard. [8562/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Bord Iascaigh Mhara is an independent statutory body and hence the processing of applications is a matter for the Board. The Department has forwarded the request to the BIM for its consideration and for a direct reply to the Deputy.

Honey Production

286. **Deputy David Stanton** asked the Minister for Agriculture, Fisheries and Food the estimated amount of honey produced here in 2008, 2009 and 2010; the value of the honey produced in each of those years; and if he will make a statement on the matter. [8575/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): My Department estimates the value and production of honey during the period 2008, 2009 and 2010 as:

Year	Volume (tonnes)	Value
		€m
2008	180	0.99
2009	140	1.36
2010	250	2.75

Weather conditions can have a major impact on the bees' foraging activity and, as a consequence, on honey production. The poor summer weather in 2008, and especially 2009, meant these years were particularly difficult for beekeeping.

Grant Payments

287. **Deputy Pat Breen** asked the Minister for Agriculture, Fisheries and Food when REPS 4 and suckler cow payments will issue to a person (details supplied) in County Clare; and if he will make a statement on the matter. [8643/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in June 2008. The person named received the year 1 payments in July and November 2009 and the year 2 payments in December 2009 and March 2010. The first instalment of 75% of the year 3 payment was made in February 2011. Payment of the balance of 25% cannot be made until outstanding checks are finalised and compliance with the scheme conditions has been fully established. Payment will issue to the person named at the earliest possible date once all checks have been completed.

Under the terms and conditions of the Suckler Welfare Scheme, herds of more than 10 cows must use a graduated weaning process and the animals must be weaned in at least two separate groups with at least five days between the weaning of each group. Payment cannot issue to the person named until all animals have been weaned in compliance with this condition.

Dormant Accounts Fund

288. **Deputy Pearse Doherty** asked the Minister for Community, Equality and Gaeltacht Affairs the intended use of the dormant accounts fund; the persons who oversee the fund; the current figure for the amount held in the fund; the reason no money been spent since 2008; and if she will make a statement on the matter. [8264/11]

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

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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.

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

1. the personal and social development of persons who are economically or socially disadvantaged;
2. the educational development of persons who are educationally disadvantaged; or
3. 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 current status of the DAF is available on my Department's website at www.pobail.ie and I am arranging for a copy to be sent to the Deputy in the coming days. This provides a profile of the Fund showing yearly inflows, reclaims, disbursements, etc, from 2003 to the end of February 2011. In the period 2008-2010, disbursements from the Fund totalled some €131m. Table 1 below sets out details in this regard, including the relevant Departments and agencies involved.

Finally, the Deputy should note that monies 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, the Government's priority, therefore, is to ensure that funding is targeted on a needs basis and spent efficiently and effectively.

TABLE 1: Summary of disbursements from the Dormant Accounts Fund for the years 2008-2010

Entity making disbursements	2008 (€)	2009 (€)	2010 (€)
The former Dormant Accounts Fund Disbursements Board	10,524,631	4,264,446	874,975
Dept of Community, Equality and Gaeltacht Affairs — Rural Social Scheme	16,000,000	0	0
Dept of Community, Equality and Gaeltacht Affairs — other measures	9,563,454	7,739,459	5,285,543
Dept of Education and Skills	18,771,252	8,403,730	1,216,100
Health Service Executive	13,397,028	8,804,948	6,119,277
Dept of Arts, Sport and Tourism	874,483	1,304,000	394,755
Office of the Minister for Children and Youth Affairs	2,999,978	5,240,455	2,965,953
Dept of Communications, Energy and Natural Resources	517,259	774,457	0
Dept of Justice and Law Reform	129,960	193,105	672,150
Irish Prison Service	272,660	419,735	217,974
Dept of Environment, Heritage and Local Government	0	500,000	1,506,108
Dept. of Social Protection	0	0	1,014,200
Total	73,050,705	37,644,335	20,267,035

Ministerial Staff

289. **Deputy Timmy Dooley** asked the Minister for Community, Equality and Gaeltacht Affairs the numbers, duties and grades of all persons within her Department who are assigned to work on constituency matters for her and any other Ministers assigned to her Department. [8238/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): The numbers of staff currently assigned to work on constituency matters within my Department is set out below.

Minister's Office

Grade	Numbers (whole-time equivalent)
Personal Assistant	1
Clerical Officers	1

Minister of State's Office

Grade	Numbers (whole-time equivalent)
Personal Secretary	1
Personal Assistant	0.8
Clerical Officers	1

Departmental Programmes

290. **Deputy Eric Byrne** asked the Minister for Community, Equality and Gaeltacht Affairs if funding can be reallocated to salaries, programme costs and overheads to extend the programme (details supplied) until June 2012. [8377/11]

Minister for Community, Equality and Gaeltacht Affairs (Deputy Frances Fitzgerald): I am advised that funding for the project referred to by the Deputy comes through the Health Service Executive, rather than through my Department and I would request that the Deputy would pursue this matter through the Department of Health.

Departmental Offices

291. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children if he will clarify the future of the community welfare office at a location (details supplied) in Dublin 12; if his attention has been drawn to local fears that if the service is moved to another location this will have a very negative impact on the local community and, in particular, local parents of young children and older persons; and the action he will take to ensure that the community welfare service operates out of a location. [8334/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Medical Cards

292. **Deputy John Lyons** asked the Minister for Health and Children the reason for the refusal of a medical card in respect of a person (details supplied) in Dublin 11; and if he will make a statement on the matter. [8343/11]

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.

Services for People with Disabilities

293. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding home support hours in respect of a person (details supplied). [8442/11]

350. **Deputy Finian McGrath** asked the Minister for Health and Children if he will support the case of a family (details supplied) in Dublin 3. [8649/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 293 and 350 together.

As the Deputy's questions relate to service matters, I have referred these questions to the Health Service Executive for direct reply.

Vaccination Programme

294. **Deputy Joe Higgins** asked the Minister for Health and Children if recipients of a vaccine (details supplied) will be provided with information regarding possible side effects. [8145/11]

Minister for Health and Children (Deputy James Reilly): Gardasil is the HPV vaccine procured by the HSE for use in the current HPV school vaccination programme. Prior to the first dose of the vaccine being administered, all parents/guardians are given an information leaflet and consent form. These are also available on the HSE website. The leaflet contains information about the virus and its transmission, cervical cancer, the vaccine, its benefits and possible side effects, and the vaccination programme.

Hospital Waiting Lists

295. **Deputy Sean Fleming** asked the Minister for Health and Children when a scan will be arranged in respect of a person (details supplied) in County Laois; and if he will make a statement on the matter. [8154/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Health Insurance

296. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if he will provide the detail of his proposals for the introduction of a universal health system based on the private insurance model; the projected cost to each citizen and family; the waivers or reliefs he plans to build into the arrangements; and if he will make a statement on the matter. [8161/11]

Minister for Health and Children (Deputy James Reilly): This Government is committed to implementing a comprehensive programme of health reform, the ultimate objective of which is to ensure equal access to health care based on need, not income. This objective will be achieved through a single-tier health service supported by universal health insurance. I would like to clarify that the VHI will be retained in public ownership and will together with private insurance companies offer people a choice of insurer.

The key policy principles of the reform programme are as follows. Firstly, the reform will involve significant strengthening of primary care services to deliver universal primary care with

removal of cost as a barrier to access for patients. This commitment will be achieved on a phased basis to allow for the recruitment of additional doctors, nurses and other primary care professionals.

In parallel to the development of primary care, there will also be significant reform of the acute hospital sector. I am committed to tackling the issue of waiting times and waiting lists by introducing new initiatives such as the Special Delivery Unit. A more transparent and efficient “Money Follows the Patient” funding mechanism and a purchaser/provider split will also be introduced. In the latter case, this will involve establishing public hospitals as independent, not for profit trusts.

Once the key building blocks, such as a strengthened primary care system and “Money Follows the Patient” funding, have been put in place, the health sector will be ready for universal health insurance. The universal system will guarantee that every citizen has equal access to a comprehensive range of curative services, including both primary and hospital care. Affordability of insurance premiums will be achieved through a system of subsidies for people on low and middle incomes.

Significant work is required in order to further develop the precise proposals and detailed implementation arrangements for the phased introduction of the above reforms. This work will include the publication of a *White Paper on Financing Universal Health Insurance* as set out in the Programme for Government. I will be communicating on an ongoing basis as the detailed arrangements for examination and implementation of the reforms are progressed.

Departmental Properties

297. **Deputy Terence Flanagan** asked the Minister for Health and Children if a building will be made available to a group (details supplied); and if he will make a statement on the matter. [8163/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Services

298. **Deputy Joe Higgins** asked the Minister for Health and Children if he will put on hold the phasing out and closure of St. Luke’s cancer hospital in Rathgar, Dublin, pending his review of the services; if he will confirm when he will meet the members of the Campaign to Save St. Luke’s and the reason the new cancer centre of excellence on the St. James’s Hospital campus due to open in December 2010 is still not open. [8185/11]

Minister for Health and Children (Deputy James Reilly): St Luke’s Hospital, which provides 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 Hospitals, two of the designated cancer centres. 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 began seeing patients on 11 April. The

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new centres have four linear accelerators each. While the number of linacs in St Luke's will be reduced as patient numbers transfer to the new centres, the development of the St Luke's Network means an overall increase of 50% in radiation oncology capacity over what had previously been available in St Luke's.

Although construction of the new facilities was completed at the end of 2010, the HSE took the decision on when patients should be treated based on all quality and safety concerns being addressed. There were some difficulties regarding the recruitment process, and a few technical issues around facilities management, but the start date for treatment was determined by the clinical team, based on safe patient management. I have received a request to meet representatives of the Campaign to Save St Luke's and I intend to meet them in the near future.

Medical Cards

299. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for renewal of a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [8228/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

300. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for a change of doctor under a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [8230/11]

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.

Ministerial Staff

301. **Deputy Timmy Dooley** asked the Minister for Health and Children the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8244/11]

Minister for Health and Children (Deputy James Reilly): In accordance with a decision of Government, the total number of staff which may be assigned to my Constituency Office may not exceed 4 and in the case of a Minister of State's Constituency Office may not exceed 3. The assignment of relevant staff in my Department has not yet been finalised but will comply in full with the above requirements.

Medical Cards

302. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding a medical card in respect of a person (details supplied). [8258/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Departmental Staff

303. **Deputy Joan Collins** asked the Minister for Health and Children the position regarding two community welfare officers currently working at a location (details supplied) in Dublin 12; if a decision has been taken to move them and the location to which they will move. [8271/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Medical Cards

304. **Deputy Patrick O'Donovan** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Limerick. [8282/11]

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.

Hospitals Building Programme

305. **Deputy Joe McHugh** asked the Minister for Health and Children the position regarding a tendering process in respect of a hospital (details supplied) in County Donegal; the date on which the process was announced; the criteria for same; if the contract was publicly advertised; and if he will make a statement on the matter. [8284/11]

Minister for Health and Children (Deputy James Reilly): The management of health infrastructure projects is a service matter. Therefore your query has been referred to the Health Service Executive for direct reply.

Health Service Staff

306. **Deputy Pearse Doherty** asked the Minister for Health and Children if physician assistants have formal recognition within the health profession; his plans to bring these qualifications into recognition; and if he will make a statement on the matter. [8294/11]

Minister for Health and Children (Deputy James Reilly): Physician assistants do not currently have formal recognition within the health profession in Ireland. The National Task Force on Medical Staffing, in its 2003 Report, examined the scope for introducing or further developing grades of staff which would facilitate a more appropriate distribution of skills and functions. One of the grades considered by the Task Force was that of Physician Assistant (PA). At that time, the Task Force did not see a role for PAs in Ireland because the tasks typically performed by them can safely be done by existing health professionals, in many cases by those in medical training. However, the Task force recommended that the case for introducing PAs at a later stage should be kept under review.

More recent studies, including the Final Report of the National Implementation Group on the European Working Time Directive, have highlighted the need to take actions to improve skill mix and transfer duties to the most appropriate healthcare workers. Likewise the development of advanced nurse practitioner posts and the movement towards nurse prescribing reflects current thinking on the delivery of care at the most appropriate and effective level.

The delivery of health care in the future in the most appropriate setting and at the most appropriate level will involve changes to the current skill mix. The introduction or development of grades of staff, including Physician Assistant, will be considered in the context of reform of the health services as set out in the Programme for Government and changes to the model for delivery of services.

Medical Cards

307. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding a renewal application in respect of a person (details supplied) in County Cork. [8301/11]

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.

308. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding an application in respect of a person (details supplied) in County Cork. [8302/11]

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.

309. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding an application in respect of a person (details supplied) in County Cork. [8303/11]

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.

Home Help Service

310. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding an application to the Health Service Executive south in respect of a person (details supplied) in County Limerick. [8304/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Services

311. **Deputy Joe McHugh** asked the Minister for Health and Children if he or the Health Service Executive has set out plans to invest in a facility (details supplied); and if he will make a statement on the matter. [8306/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Medical Cards

312. **Deputy Jack Wall** asked the Minister for Health and Children when a person (details supplied) in County Kildare will receive their medical card; and if he will make a statement on the matter. [8310/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Drugs Payment Scheme

313. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the reason for the delay in processing an application for a drug payments scheme card in respect of a person (details supplied) and when the card will issue. [8315/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Health Service Staff

314. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding having a person transferred within the Health Service Executive south. [8326/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Hospital Services

315. **Deputy Niall Collins** asked the Minister for Health and Children the position regarding having a person transferred to a specific hospital for urgent surgery. [8327/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

316. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for an operation in respect of a person (details supplied) in County Kildare; if a date cannot be facilitated can the applicant apply for treatment under the National Treatment Purchase Fund; and if he will make a statement on the matter. [8333/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Medical Cards

317. **Deputy Niall Collins** asked the Minister for Health and Children the reason a medical card was refused in respect of a person (details supplied) in County Limerick; if an analysis of all income and outgoings of the person detailed in the application can be supplied to this Deputy; if an appeal form can be sent to the applicant; and if he will make a statement on the matter. [8347/11]

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.

Mental Health Services

318. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health and Children if he will make reforming our mental health services an urgent priority; if he will commit to making mental health services more open and transparent, with a particular focus on ensuring that patients' fundamental human rights are respected and adhered to in this process. [8353/11]

Minister for Health and Children (Deputy James Reilly): The Government has prioritised the reform of the mental health service in line with 'A Vision for Change'. The Programme for Government makes a number of commitments in relation to mental health and I am currently engaged in discussions with my officials with a view to delivering progress as early as possible.

Medical Cards

319. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health and Children if he will reinstate the full medical card in respect of a person (details supplied) in Dublin 9; and if he will make a statement on the matter. [8356/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Promotion

320. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children the reason no healthy eating guidelines have been issued to schools; if he will issue these guidelines as

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part of the social personal health education programme and its health promotion policy; when he will issue these guidelines; and if he will make a statement on the matter. [8358/11]

Minister for Health and Children (Deputy James Reilly): My Department has undertaken a review to update the healthy eating guidelines. Revised guidelines are now being finalised in conjunction with the Food Safety Authority of Ireland. The revised guidelines will be distributed to the education system and elsewhere as soon as they are available.

Hospital Services

321. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if a person (details supplied) in County Kildare is likely to be admitted to Tallaght Hospital, Dublin 24, for surgery; and if he will make a statement on the matter. [8378/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

322. **Deputy Sean Fleming** asked the Minister for Health and Children when a person (details supplied) in County Laois will be scheduled for an operation; and if he will make a statement on the matter. [8399/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Health Services

323. **Deputy Jack Wall** asked the Minister for Health and Children if a person (details supplied) in County Kildare will receive an urgent dental appointment; and if he will make a statement on the matter. [8405/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Nursing Homes Support Scheme

324. **Deputy Timmy Dooley** asked the Minister for Health and Children when a decision on an appeal for the fair deal scheme will issue in respect of a person (details supplied) in County Clare. [8410/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Medical Cards

325. **Deputy Gerald Nash** asked the Minister for Health and Children if he will ensure automatic entitlement to medical cards for all children with Down's syndrome; and if he will make a statement on the matter. [8439/11]

Minister for Health and Children (Deputy James Reilly): The award of a medical card is based on means and there are no plans to provide for the granting of medical cards to any particular group of patients with specific medical conditions, as a whole. However, while the income guidelines are the principal benchmark used for deciding medical card eligibility, the HSE does look beyond the applicant's financial situation and have regard to other appropriate matters in assessing a person for a medical card, such as illness or medical circumstances which

result in financial hardship, costs associated with medical requirements and other issues. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations. Under the Programme for Government all citizens will have free GP care.

326. **Deputy Jack Wall** asked the Minister for Health and Children the position regarding an application for a medical card in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [8474/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

327. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding an operation in respect of a person (details supplied) in Dublin 3. [8476/11]

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.

Hospital Staff

328. **Deputy Seán Kenny** asked the Minister for Health and Children the number of consultant neurologists at Beaumont Hospital, Dublin; the average waiting time to see the consultant; the number of persons on the waiting list; and if he will make a statement on the matter. [8488/11]

Minister for Health and Children (Deputy James Reilly): As these are service matters, they have been referred to the Health Service for direct reply.

329. **Deputy Seán Kenny** asked the Minister for Health and Children the number of consultant ophthalmologists at Beaumont Hospital, Dublin; the average waiting time to see the consultant and the number of persons on the waiting list. [8489/11]

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.

Health Services

330. **Deputy Sean Fleming** asked the Minister for Health and Children when a person (details supplied) in County Laois will receive a dental appointment; and if he will make a statement on the matter. [8510/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

Hospital Services

331. **Deputy Dara Calleary** asked the Minister for Health and Children, further to Parliamentary Question No. 370 of 12 April 2011, if he will outline his plans for community and district hospitals; if his attention has been drawn to the fact that his proposed hospital funding model will damage the network of community and district hospitals; and if he will make a statement on the matter. [8516/11]

Minister for Health and Children (Deputy James Reilly): The Government is committed to implementing a comprehensive programme of health reform. The aim of this reform process is to deliver a single-tier health service that will deliver equal access to care based on need, not income. The detailed implementation arrangements will be subject to careful examination and I intend to consult widely throughout this process. The Government has set clear goals for the health service, namely:

- a universal health care system with access based upon need,
- more care delivered locally through strengthened primary care, and
- greater transparency and incentives regarding performance.

In the meantime, the Nursing Homes Support Scheme model of funding (where money follows the patient) will continue to apply to the Community and District Hospitals that are designated by the HSE as facilities predominantly for the care of older people. The future of these, and other hospitals, will be considered and planned for within the context of the overall reforms currently being contemplated.

Health Services

332. **Deputy John McGuinness** asked the Minister for Health and Children the reason the full range of services required by a person (details supplied) in County Carlow are not being delivered by the Health Service Executive; if arrangements will be made immediately to contact the family with a view to explaining the way the services will be delivered on a sustainable basis; if the issue in HSE administration areas will be resolved to ensure the efficient delivery of the services required in this case close to the location of the family concerned; and if he will make a statement on the matter. [8532/11]

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 Waiting Lists

333. **Deputy Terence Flanagan** asked the Minister for Health and Children the new measures he is taking to help the 1,854 persons who are waiting in Beaumont and Tallaght hospitals for colonoscopies; and if he will make a statement on the matter. [8536/11]

Minister for Health and Children (Deputy James Reilly): Figures supplied by the National Treatment Purchase Fund (NTPF) for non-urgent colonoscopies show that a total of 1,854 were waiting for more than three months for this procedure, with 1,500 of these waiting between three and six months. The Health Service Executive (HSE) is working with hospitals and the NTPF to increase capacity to address this problem. The HSE is advising any person waiting more than three months for a colonoscopy procedure to contact the NTPF directly at 1890 720 820 to assess their eligibility for treatment.

The target waiting time for all those in urgent need of a colonoscopy is 28 days. In 2009, the HSE provided hospitals with national guidelines on managing colonoscopies including a standard definition of urgent need, developed in conjunction with clinicians, which is used to identify those at risk of cancer and requiring urgent colonoscopy. The monthly Performance Reports from the HSE show that approximately 98% of those requiring urgent colonoscopy are receiving the procedure within the 28 day target.

Nursing Homes Support Scheme

334. **Deputy Brian Stanley** asked the Minister for Health and Children the number of recipients of the fair deal in 2009 and 2010 who received therapy services from the State and the number paying for these therapy services privately. [8538/11]

Minister for Health and Children (Deputy James Reilly): The Nursing Homes Support Scheme, A Fair Deal, provides financial support in respect of the cost of long-term residential care. Over 11,700 people qualified for support under the Scheme in 2010. The services which fall within the scope of long-term residential care are:

- nursing and personal care appropriate to the level of care needs of the person,
- basic aids and appliances necessary to assist a person with the activities of daily living,
- bed and board, and
- laundry service.

The Scheme does not cover therapies because a person's eligibility for other schemes, such as the Medical Card Scheme or the Drugs Payment Scheme, is unaffected by the Nursing Homes Support Scheme. In other words, a person can continue to receive goods and services in accordance with the terms of these other schemes regardless of whether they are in a private nursing home or elsewhere.

In determining the services covered by the Nursing Homes Support Scheme, it was considered very important that the care recipient and the taxpayer would be protected and would not end up paying for the same services twice. For this reason, medications and aids that are already prescribed for individuals under an existing scheme are not included in the services covered by the new Nursing Homes Support Scheme (i.e. as this would involve effectively paying twice for the same items or service). Nursing home residents that choose to make private arrangements to receive therapy services are not required to notify these arrangements to either my Department or the HSE. As such, it is not possible to provide the Deputy with the number of recipients of the Fair Deal who paid for therapy services privately.

With regard to the number of recipients of the Fair Deal who received therapy services from the State, currently these services are provided having regard to demand, availability of resources and on a priority basis based on clinical need. However, a National Ancillary Group was established in January 2010 to undertake a national review of the provision of therapy services and aids and appliances to private nursing homes, public and voluntary units, and to make recommendations with regard to introducing standardised provision of these services. Based on this review, a framework and guidance document for healthcare professionals, registered providers, and residents is currently being prepared. This document is expected to be finalised by mid June 2011 to enable consultation with the wider system.

Health Services

335. **Deputy Ciara Conway** asked the Minister for Health and Children the reason for the delay in the Health Service Executive conducting an occupational therapy, OT, report in respect of persons (details supplied) in County Waterford to enable the local authorities to make the required adjustments to their home; and if he will make a statement on the matter. [8542/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the HSE for direct reply.

336. **Deputy Michael McGrath** asked the Minister for Health and Children if he will arrange for home support hours to be provided in respect of a person with special needs (details supplied) in County Cork. [8550/11]

Minister for Health and Children (Deputy James Reilly): As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

Medical Cards

337. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an application for a renewal of a medical card in respect of a person (details supplied) in County Cork. [8551/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Reform

338. **Deputy Billy Kelleher** asked the Minister for Health and Children if he has appointed an expert to co-ordinate the setting up of a Dutch model health service here. [8630/11]

339. **Deputy Billy Kelleher** asked the Minister for Health and Children his plans to send representatives from his Department to examine the Dutch model of health insurance; and if he will make a statement on the matter. [8631/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 338 and 339 together.

The Government is embarking on a major reform programme for the health system. The aim of this reform process is to deliver a single-tier health service that will deliver equal access to care based on need, not on income. Undertaking this comprehensive reform process is a complex task which must be carefully planned and sequenced. Officials in my Department are currently giving careful consideration to the reform programme with a view to developing implementation proposals.

As part of this process my officials recently organised a seminar on Universal Health Insurance. The seminar was attended by officials from the Dutch Health Ministry as well as officials from the World Health Organisation and the European Observatory on Health Systems and Policies. It provided an opportunity for my officials to understand the achievements and learnings associated with the Dutch health reforms as well as considering international best practice in healthcare reform. It is envisaged that there will be ongoing examination of the experience with health reform in a range of countries. It is worth noting however, that this Government's reform implementation proposals will be designed to fit the Irish system and to obtain the best outcomes for Irish patients.

Health Insurance

340. **Deputy Billy Kelleher** asked the Minister for Health and Children his plans to sell the Government stake in VHI. [8632/11]

341. **Deputy Billy Kelleher** asked the Minister for Health and Children if he will implement the recommendations of the Millman report; if he has met with VHI to ask it to reduce its costs; and if he will make a statement on the matter. [8633/11]

342. **Deputy Billy Kelleher** asked the Minister for Health and Children if he will ensure that the VHI will meet its solvency requirements as set out by the regulator; and if he will make a statement on the matter. [8634/11]

343. **Deputy Billy Kelleher** asked the Minister for Health and Children if he has raised the issue of the VHI's solvency requirements with his colleagues in the EU; and if he will make a statement on the matter. [8635/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 340 to 343, inclusive, together.

The VHI continues to be exempt from prudential solvency requirements arising from a derogation under the 3rd Non-Life Directive. The Voluntary Health Insurance (Amendment) Act 2008 provided for the VHI to acquire sufficient funding in terms of its capital reserves to enable it to make an application to the Financial Regulator for authorisation. The date by which the VHI must accrue the necessary reserves is set at 1 January 2012. Officials from my Department are maintaining regular contact with the European Commission to update them on progress regarding the implementation of plans for the insurance market and the VHI, including solvency issues. The most recent meeting took place on 9 February 2011 in Brussels and further written communications have since been exchanged.

The programme for Government provides for the VHI to remain in State ownership. I am considering the future structure of the company in the context of an examination of the balance of risk among insurers in the market. Expert financial and legal advisors will be commencing work on this shortly.

I met with the Chairman and CEO of the VHI on my appointment in March 2011. At that meeting, I expressed my concerns with regard to VHI's significant claims costs, much of which were outlined in the Milliman review of VHI's claims. My Department is working closely with the VHI on this issue. In that regard, I note VHI's recently announced financial outturn for 2010, which shows a significant improvement over the 2009 outturn. While much remains to be done for the VHI to achieve sustainability, a continued focus on the control of costs will be of considerable assistance to the company.

Smoking Ban

344. **Deputy Billy Kelleher** asked the Minister for Health and Children his plans to introduce a ban on logos and distinctive branding on packets of cigarettes in order to reduce the appeal of cigarettes to consumers. [8636/11]

Minister for Health and Children (Deputy James Reilly): Currently there are no plans to introduce such a ban. My immediate priority is to introduce the legislation required for the combined text and photo warnings on tobacco products. However I am aware of such moves in Australia and will study the success of these measures within the constraints of current E.U. policy.

Medicinal Products

345. **Deputy Billy Kelleher** asked the Minister for Health and Children the meetings or talks he has had with clinicians and the drugs industry with a view to achieving significant reductions in expenditure in this area in 2011. [8637/11]

Minister for Health and Children (Deputy James Reilly): Following discussion with my Department and the HSE, members of the Irish Pharmaceutical Healthcare Association

[Deputy James Reilly.]

(IPHA) agreed a series of measures to deliver savings on drug expenditure of €200 million in 2011. Savings of €155 million are expected under the GMS and community drug schemes, €35m under the High Tech Scheme and €10m on hospital medicines. As a result, the prices of over 1,000 medicines have been reduced since January this year. I have arranged to meet IPHA next month to explore what further progress can be made in this area. I have also asked my Department to engage with the Association of Pharmaceutical Manufacturers in Ireland, who represent the generics industry, with a view to achieving additional savings in that area.

In addition, my Department is finalising the Heads of the Pricing and Supply of Medicines Bill. This legislation will introduce a system of reference pricing and generic substitution for drugs prescribed under the GMS and community drug schemes. It is important that this legislation is enacted as a number of high volume medicines are expected to come off patent in the coming years. These reforms will promote price competition among suppliers and ensure that lower prices are paid for these medicines resulting in significant savings for taxpayers and patients.

Hospital Services

346. **Deputy Billy Kelleher** asked the Minister for Health and Children if he will amend the status of Letterkenny General Hospital, County Donegal, from a local hospital to a regional hospital, in order to improve the amount of funding available to the hospital; and if he will make a statement on the matter. [8638/11]

Minister for Health and Children (Deputy James Reilly): Letterkenny General Hospital is categorised as a Category 2 Hospital for the purpose of public hospital charges. Private, semi private and day case charges for hospitals in this category were increased this year by between 29% and 42%. The issue of reimbursement of hospitals for private patient treatment was examined in the 'Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals', published in December 2010. This Report recommended a review of the system of hospital categorisation, on which private patient charges are based. The existing categories reflect differences in teaching status and complexity as measured by the casemix system.

Departmental Expenditure

347. **Deputy Billy Kelleher** asked the Minister for Health and Children, following recent warnings from the International Monetary Fund that health costs are dragging the economy down and that savings of €1 billion may be required this year alone, the way he intends to make the necessary savings. [8639/11]

Minister for Health and Children (Deputy James Reilly): Between 2010 and 2011, over €2 billion in savings have been identified within the Health Sector. The 2010 Budget provided for over €600 million in pay savings, and €400 million in non-pay savings. The pay savings took account of the Government decisions on public service pay reductions, including general pay reductions, higher reductions for those on higher pay on foot of the Report of the Review Body on Higher Remuneration, further reductions in the fees payable to certain health professionals and savings associated with the moratorium on recruitment and promotion. Non-pay savings included, inter alia, reductions in drug costs and procurement economies.

A further €1 billion in savings was provided for in 2011 comprising inter alia, additional savings on Demand Led Schemes, the continued implementation of the moratorium on recruitment and promotions in accordance with the Employment Control Framework for the health

services, procurement and other pay savings as part of the Croke Park Agreement and reduced pay costs associated with the HSE exit schemes. In addition, agencies funded by both the HSE and the Department of Health & Children were required to find efficiency savings within their organisations, and the allocations for all agencies were reduced accordingly in both years.

The cash reduction in both years was less than the overall savings required of €2 billion given the need to provide for increased superannuation costs, an increase in the number of medical cards and extra funding to support a number of key policy priorities such as Fair Deal, the cancer programme, implementation of the recommendations of the Ryan Report and additional costs associated with the Clinical Indemnity Scheme. However, notwithstanding these increased funding requirements, since 2008, there has been an overall cash reduction in current spending on health of €1.46 billion or 9%. These saving have been achieved in a manner which has not led to any reduction in the total volume of services planned under successive HSE National Service Plans.

As the Deputy will be aware, the Government has announced that a comprehensive review of expenditure is being undertaken wherein each Department will prepare a comprehensive expenditure report to identify expenditure programme savings, scope for savings arising from efficiency and other reforms and proposals for the further rationalisation of agencies and any associated reductions in staff. These reviews will inform the 2012 Estimates and the identification of further savings which can assist in meeting public expenditure targets.

National Treatment Purchase Fund

348. **Deputy Billy Kelleher** asked the Minister for Health and Children his views on whether the National Treatment Purchase Fund offers value for money and is effective in reducing waiting time for patients on public hospital waiting lists; and if he will make a statement on the matter. [8640/11]

Minister for Health and Children (Deputy James Reilly): The National Treatment Purchase Fund is responsible for arranging care for those patients who have been waiting longest for hospital treatment and for the negotiation, on behalf of the HSE, of nursing home prices under the Nursing Homes Support Scheme. The NTPF has also instituted standard national arrangements for the collection and reporting of waiting lists across 44 hospitals, through the Patient Treatment Register (PTR). In relation to value for money, the Comptroller and Auditor General's reports for 2008 and 2009 concluded that, relative to the casemix benchmark, procedures purchased from private hospitals by the NTPF generally cost less than those carried out in the publicly-funded system.

I intend to set up a Special Delivery Unit, driven by my Department, which will focus on reducing unacceptable waiting times for patients. I am examining options for the Unit at present and will put it in place as soon as possible. The future of the NTPF is among the issues to be considered in the context of the establishment of the Special Delivery Unit and of the implementation of the Government's commitment to the introduction of a system of Universal Health Insurance.

Hospital Services

349. **Deputy Billy Kelleher** asked the Minister for Health and Children if he will confirm that 34 beds dedicated to cystic fibrosis patients only as recommended by international experts will now not be provided for at St Vincent's Hospital, Dublin. [8641/11]

Minister for Health and Children (Deputy James Reilly): The development of the new 100 bed Unit being built at St. Vincent's Hospital encompasses both in-patient and day care facili-

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ties for patients with Cystic Fibrosis. It represents a major improvement in the care of Cystic Fibrosis patients in Ireland. It is essential that all in-patients are cared for by multidisciplinary teams with special training in Cystic Fibrosis in single en suite rooms.

It is Department of Health policy that there must be sufficient in-patient beds to treat all people with Cystic Fibrosis who require hospitalisation. The number of Cystic Fibrosis in-patients at St. Vincent's University Hospital is expected to vary between 20 and 34. In this respect 20 in-patient beds is a minimum and not a maximum, and the number of beds with appropriately trained staff can potentially accommodate 34 patients. When the beds are not required for Cystic Fibrosis patients they will be used for other patients with a clearly agreed protocol that there will always be beds available for patients with Cystic Fibrosis who require admission.

Question No. 350 answered with Question No. 293.

Light Rail Project

351. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the level of spending and the works being carried out on metro north during 2011; and if he will make a statement on the matter. [8220/11]

352. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will expand on his recent media comments regarding metro north; if he has ceased spending, planning and works on the metro north project until his review reports in September 2011; and if he will make a statement on the matter. [8221/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 351 and 352 together.

As Minister for Transport, I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) in December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as Metro North, comes under the remit of the NTA. The legislative basis for this is Section 11(1)(e) of the DTA Act 2008 "Principal Functions of Authority — The principal functions of the Authority are to secure the — provision of public transport infrastructure". Noting this, I will ask the NTA to provide the deputy with detail on the spending and works being carried out on Metro North in 2011.

In relation to Government policy regarding Metro North, as part of the Government's Comprehensive Spending Review, there will also be a comprehensive review of capital spending with a view to developing a new National Development Plan for 2012-2017. This review, which will take place against a background of new funding realities, will examine the costs and benefits of all capital projects against a range of economic, social and environmental criteria. Key considerations for transport will include the need to prioritise funding to protect investment made to date and to maintain high safety standards.

In relation to the large public transport projects in the Dublin area, the availability of funding, both from the Exchequer and private sources, will be a major consideration as will the contribution in the short, medium and long term to transport objectives and employment creation potential. Despite funding difficulties I will be seeking to ensure that at least one major rail or light rail project will go ahead and in this regard will examine all realistic options for delivery including delivery on an incremental, phased basis.

I have recently received correspondence regarding the enabling works for Metro North from both the Railway Procurement Agency and the National Transport Authority and I am considering the issues raised by them. In the meantime, planning work for the submission of a railway order application for the depot for Metro North continues. I expect the railway order to be concluded.

Ministerial Staff

353. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the numbers, duties and grades of all persons within his Department who are assigned to work on constituency matters for him and any other Ministers assigned to his Department. [8249/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): In line with the Department of Finance guidelines on the staffing of Ministerial offices, my constituency office consists of a Personal Secretary, a Personal Assistant, and 2 civil servants. In keeping with the same guidelines, the constituency offices of each of the Ministers of State in my Department consist of a Personal Secretary, a Personal Assistant and 1 civil servant. In the case of one of the Ministers of State, the Personal Assistant post is filled by 2 work-sharing staff, but counts as one post.

Road Network

354. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport, Tourism and Sport the position regarding the progress towards the commencement of essential bypass works of the towns of Virginia and Belturbet in County Cavan, both served by the N3; when he expects the final route selection to be reached and works undertaken thereafter; and if he will make a statement on the matter. [8329/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The construction, improvement and maintenance of individual national roads, including those mentioned by the Deputy, is a matter for the National Roads Authority under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

Cycle Facilities

355. **Deputy Brendan Ryan** asked the Minister for Transport, Tourism and Sport the position regarding the construction of a walkway or cycle path along the railway viaduct between Malahide and Donabate in north Dublin; and if he will make a statement on the matter. [8344/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Fingal County Council's unsuccessful application to my Department under the Smarter Travel Areas Competition identified this potential walking and cycling route. My Department has had no further engagement with the County Council with regard to this proposal and future progress with it is a matter for the local authority.

Sports Capital Programme

356. **Deputy Áine Collins** asked the Minister for Transport, Tourism and Sport if he will provide details of any grants available to assist community groups to provide an astro turf facility in their area. [8357/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the Sports Capital Programme, funding is allocated to sporting and to voluntary and community organisations at local, regional and national level throughout the country. No decision has been made on the timing of the next round of the Programme. While no new call for applications for funding has been made since 2008 a provision of €33m has been provided in this year's estimates to cover the payment of grants previously allocated.

Road Network

357. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if he will make additional funding available for the repair and upgrade of key secondary and local roads in Dublin North East including Grange Road, Clonsaugh Road, James Larkin Road and Clontarf Road in the Dublin City Council area and Brookstone Road and the Grange Road in Fingal County Council area; and if he will make a statement on the matter. [8361/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The improvement and maintenance of regional and local roads is the statutory responsibility of each local authority, in accordance with the provisions of Section 13 of the Roads Act 1993. Works on those roads are funded from local authorities own resources and are supplemented by State road grants. However, the initial selection and prioritisation of projects to be funded is also a matter for the local authority.

Apart from Clonsaugh Road, the roads mentioned were not the subject of 2011 funding applications by the relevant local authorities under the Specific Improvement Grant Scheme. An application for funding in relation to the Clonsaugh Road was received. This application, together with all other applications received, was considered having regard to the eligibility criteria, the need to prioritise projects, competing demands from other local authorities and the funds available for the Specific Improvement Grant Scheme in 2011. However, this project was not among the projects selected for funding. It is open to the Councils to fund these projects from their Discretionary Grants or from their own resources.

A total of €375.176 million has been allocated in 2011 for the maintenance and improvement of regional and local roads. As regards the availability of additional funding, I have directed that the overall transport budget is assessed to determine what scope exists for allocating additional funds for the repair and maintenance of regional and local roads. Any additional funding made available to local authorities as a result of this process will be subject to the normal assessment criteria relating to State grants.

Rural Transport Services

358. **Deputy Seamus Healy** asked the Minister for Transport, Tourism and Sport if he will provide funding to extend the ring-a-link rural link transport service; and if he will make a statement on the matter. [8128/11]

Minister for Transport (Deputy Leo Varadkar): €10.62m is being provided for the Rural Transport Programme (RTP) in 2011 in recognition of the important role it plays in combatting social exclusion in rural Ireland. Thirty-six rural community transport groups around the country, including Ring-a-Link which operates in Carlow, Kilkenny and Tipperary South Riding, are being funded under the Programme. Pobal administers the RTP on behalf of my Department and is responsible, among other things, for allocating funds to individual rural community transport groups from funding provided by my Department. Neither I nor my Department have any role in relation to the day-to-day management issues pertaining to the Programme or in allocating funds to particular groups. However, I understand from Pobal that some €450,000 has been allocated to Ring-a-Link this year.

Tourism Employment

359. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport if it is the intention of Fáilte Ireland to operate training programmes for new entrants in the Cork training centre during 2011. [8479/11]

360. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport his plans for the Fáilte Ireland training centre in County Cork; the future training programmes for this centre and all other training centres; and if he will make a statement on the matter. [8480/11]

361. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport the way the change to in-company training as a means of improving productivity of existing employees and in turn to help to sustain existing jobs has benefited the industry. [8482/11]

362. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport the way the change to in-company training by Tourism Ireland as a means of improving productivity of existing employees and in turn to help to sustain existing jobs has benefited the tourism industry. [8498/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 359 to 362, inclusive, together.

The matters raised are operational matters for Fáilte 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.

Road Network

363. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport when construction of the flyovers at both the Sarsfield Road and Bandon Road roundabouts, Cork, will commence; and the provisions that will be put in place during construction to alleviate the bottlenecks that occur here. [8515/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The construction, improvement and maintenance of individual national roads, is a matter for the National Roads Authority under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Noting this I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you do not receive a reply within 10 working days.

National Lottery Funding

364. **Deputy Eamonn Maloney** asked the Minister for Transport, Tourism and Sport the amount of money received from the national lottery by his Department and distributed in 2010. [8518/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The distribution of the proceeds of the National Lottery is a matter for the Minister for Finance. The Sports Capital Programme, which is part funded from the proceeds of the National Lottery, distributed more than €50 million to clubs, sports organisations and local authorities in 2010 for the provision of sports facilities and the purchase of non-personal sports equipment. The Grant-in-Aid provided to the Irish Sports Council in respect of general assistance to sports organisations and expenditure in relation to sports activities is also part-funded by the proceeds of the National Lottery. The 2010 Grant-in-Aid allocation was €49.572m.

Olympic Games

365. **Deputy Liam Twomey** asked the Minister for Transport, Tourism and Sport the funding available to athletes preparing for the 2012 Olympics; the amount he will spend on Ireland's involvement in the Olympics; and if he will make a statement on the matter. [8577/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The funding available to athletes preparing for the 2012 Olympics is an operational matter for the Irish Sports Council. I have referred the Deputy's question to the Council for direct reply. Please advise my private office if you do not receive a reply within ten working days. A high-level coordinating group, chaired by my Department, is identifying opportunities for Ireland that may arise across the sports, tourism and cultural sectors, from the London 2012 Olympic and Paralympic Games. The group comprises representatives from the Irish Sports Council, the Olympic Council of Ireland, Paralympics Ireland, Fáilte Ireland, Tourism Ireland, the Arts Council, Culture Ireland and the Department of Foreign Affairs. The group will continue to meet on an ongoing basis in the coming year to identify initiatives and any costs relating to the development of these initiatives.

Public Transport

366. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport if he will provide a full list of routes being cut, routes being amalgamated, routes being re-routed and the number of buses being reduced; and if he will make a statement on the matter. [8598/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matters raised are operational issues for Dublin Bus (in the case of Dublin City services) in conjunction with the National Transport Authority. I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

Departmental Bodies

367. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport if he will explain the relationship between him and Dublin Bus; and if he will make a statement on the matter. [8599/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As the shareholder of the CIE Group, I appoint the Board of Dublin Bus. The shareholder relationship is reflected in the Transport (Re-Organisation of Córas Iompair Éireann) Act 1986, as amended, and the requirements of the Code of Practice for the Governance of State Bodies. In my relationship with Dublin Bus I am concerned to ensure that the company continues to strengthen its commercial performance, efficiency and cost effectiveness in the discharge of its mandate. I have recently announced new Government agreed arrangements for CIE Board appointments and a new governance model for the CIE Group, details of which are set out on my Department's website.

The current PSO contract with Dublin Bus is the direct responsibility of the National Transport Authority (NTA), who are responsible for the payment of annual subvention to Dublin Bus and the monitoring and enforcement of Dublin Bus's performance under its contract.

368. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport the relationship between him and harbour companies running ports around the country; and if he will make a statement on the matter. [8600/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): There are ten State commercial port companies established and operating under the Harbours Acts 1996 — 2009. Rosslare Europort is also owned by the State, via Iarnród Éireann. The Minister for Transport, Tourism and Sport is the principal shareholder in each company with the Minister for Finance holding one share in each. The Minister's relationship with the companies is governed by the Harbours Acts and the Companies Acts. I met recently with the Chairpersons and CEOs of the bodies under my Department, including the port companies.

Public Sector Pay

369. **Deputy Richard Boyd Barrett** asked the Minister for Transport, Tourism and Sport the amount of money the executives of the harbour companies are paid. [8601/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): In light of the current economic climate and the need for social solidarity, at a recent meeting in Dublin Castle of all the state agencies and commercial semi-state companies under the aegis of my department, I re-iterated the Government's opposition to the payment of bonuses to Chief Executives. The Code of Practice for the Governance of State Bodies requires all State companies to include a breakdown of the annual salary paid to Chief Executive Officers in their published Annual Report and Accounts. The port company Annual Reports for 2010 will be published in the coming months.

In all but two cases, the relevant information for 2010 has already been supplied to my Department and is outlined in the following table. In two cases the information relates to 2009. The performance related payments made in 2010 were in respect of the performance of the Chief Executives in 2009. In February 2009, the then Minister wrote to all Chairpersons of commercial State bodies under the aegis of the Department of Transport asking that consideration be given by each Board to achieving a significant reduction in or elimination of bonus award payments payable in 2009 and 2010.

Port	Basic Salary	Director's Fees	Bonus	Other	Total
	€	€	€	€	€
Dundalk	80,164	1,575	0	0	81,739
Drogheda	110,389	0	0	23,195	133,584
Dublin**	69,708	4,764	0	0	74,472
Dún Laoghaire	136,000	12,600	0	20,000	168,600
Wicklow*	67,996	1,575	0	0	69,571
New Ross*	74,500	2,577	0	13,875	90,952
Waterford	124,993	8,100	43,748***	17,164	194,005
Cork	157,455	12,600	16,858	0	186,913
Shannon Foynes	112,194	8,100	10,575	25,000	155,869
Galway	97,450	6,300	9,337	0	113,087

*2009 figure.

**Dublin's figures relate to the remuneration of the current CEO since his appointment in August 2010, i.e. for 5 months. The company are currently in the process of finalising the contract of employment with the new CEO.

***Bonus accrued in 2010 under Terms and Conditions of Contract, but not yet paid.

Road Safety

370. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport his views on the commitment in the programme for Government to introduce roadside drug testing programmes to combat the problem of driving under the influence of drugs. [7066/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): There is no feasible basis, at present, in Ireland or in Europe for the introduction of a preliminary roadside test for drugs, as testing devices are still in the prototype stages. However, I have indicated to the relevant bodies, including the Gardaí and the Medical Bureau of Road Safety (MBRS) that I would like to see viable roadside testing for drugs introduced as quickly as possible. The 2010 Road Traffic Act provides for preliminary impairment testing, a non-technology based roadside test for drug driving. The MBRS, in association with the School of Medicine UCD, is responsible for the provision of training in the use of preliminary impairment testing for Gardaí. That training has now commenced and I expect to commence the relevant provisions of the 2010 Act this Autumn. In the meantime, the MBRS will be keeping abreast of developments in this area in other countries. When suitable technology becomes available, any measures currently applied to the roadside testing of drivers for alcohol will also be applied in relation to drugs.

Rail Network

371. **Deputy Gerry Adams** asked the Minister for Transport, Tourism and Sport in view of his support for infrastructural projects on the island of Ireland, his plans to support the railway transport corridor to the north west; in particular, if he will refer to the Transport 21 project, the western area's Atlantic road corridor and the comprehensive rail system in the north west which includes the five derailed counties, Donegal, Cavan, Monaghan, Tír Eoghain and Fermanagh and join up to Sligo to integrate into the Irish rail network. [8394/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The upgrading and extension of the mainline railway system is a matter for consideration by Irish Rail in the first instance. The Strategic Rail Review (SRR) completed by Irish Rail in 2003 set out priorities for future rail investment in Ireland, with a twenty-year strategic policy framework, and fed into Transport 21. The SRR did not include the development of rail services in Cavan, Monaghan or Donegal in its recommendations. As a consequence, no capital provision for such rail development has been considered for inclusion in my Department's investment frameworks.

Furthermore in the context of the current difficult economic situation the first priority in relation to prioritising available funding for mainline rail services will be to protect existing investment and ensure continued high safety standards. This will be a key criteria in the review of capital spending for my Department arising from the recent decision by Government regarding the preparation of a new capital investment framework from 2012. With regard to the railway lines mentioned by the Deputy, no capital budget has been set aside for these lines by the previous government. It is not expected that the capital envelope will increase over the course of the current government.

The question of the development of rail services in Tyrone and Fermanagh is a matter for the authorities in Northern Ireland in the first instance. Issues of concern relating to cross-border public transport services are discussed on a regular basis under the auspices of the North-South Ministerial Council. I am not aware that a rail service as proposed has been raised. In relation to the Atlantic Road Corridor the section from Gort to Tuam (M17/18) is at tender stage. This is a PPP contract and notwithstanding the difficult financial environment the NRA is continuing to work with tenderers in an effort to reach agreement on the contract.