



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Dé Máirt, 24 Bealtaine 2011.

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Dé Máirt, 24 Bealtaine 2011.
Tuesday, 24 May 2011.

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

Paidir.

Prayer.

Ceisteanna — Questions

Official Engagements

1. **Deputy Micheál Martin** asked the Taoiseach in view of his comments of 8 April 2011, that he would be discussing job creation with British Prime Minister David Cameron, if he will detail the outcome of discussions on this specific matter. [9867/11]

2. **Deputy Richard Boyd Barrett** asked the Taoiseach the issues he will discuss with Prime Minister Cameron when he meets him in Dublin during the visit of Queen Elizabeth to Ireland; and if he will make a statement on the matter. [10476/11]

3. **Deputy Gerry Adams** asked the Taoiseach if he will make a statement on his meeting with British Prime Minister David Cameron. [11454/11]

4. **Deputy Joe Higgins** asked the Taoiseach if he will report on his meeting with the Queen Elizabeth II. [11493/11]

5. **Deputy Joe Higgins** asked the Taoiseach if he will report on his most recent talks with British Prime Minister Cameron. [11494/11]

6. **Deputy Micheál Martin** asked the Taoiseach the issues that he discussed with the British Prime Minister David Cameron during the visit of Queen Elizabeth II to Ireland. [11595/11]

7. **Deputy Micheál Martin** asked the Taoiseach if he will outline his discussions with Queen Elizabeth II during her recent visit here. [12827/11]

8. **Deputy Micheál Martin** asked the Taoiseach the issues he has discussed with British Prime Minister Mr. David Cameron during the visit of Queen Elizabeth II. [12828/11]

9. **Deputy Micheál Martin** asked the Taoiseach his plans to personally update the families of the victims of the Dublin and Monaghan bombings following his meeting with British Prime Minister Mr. David Cameron. [12829/11]

33. **Deputy Richard Boyd Barrett** asked the Taoiseach if he will report on the issues that he discussed with British Prime Minister Cameron during his recent visit; and if he will make a statement on the matter. [12616/11]

34. **Deputy Richard Boyd Barrett** asked the Taoiseach if he discussed with Prime Minister Cameron the terms of the EU-IMF rescue package during the recent State visit; and if he will make a statement on the matter. [12617/11]

The Taoiseach: I propose to take Question Nos. 1 to 9, inclusive, 33 and 34 together.

I held a wide ranging discussion with the British Prime Minister, Mr. David Cameron on 18 April in Downing Street. As I outlined in my reply to parliamentary questions in this House on 19 April, this included an exchange of views and experience in dealing with our economic problems. In that context, we discussed job creation as a critical part of economic recovery. The close economic ties between Ireland and the UK are well recognised. The UK is a major export market for Irish goods and services and vice versa.

As Members will be aware, the Government last week announced details of its jobs initiative, which has a major focus on tourism as a source of jobs and, in particular, the importance to us of the UK market with almost half of our overseas visitors coming from there. A number of measures which form part of this initiative, including the Tourism Marketing Fund, the 9% VAT rate for tourism related businesses, the suspension of the air travel tax and the common visa treatment with the UK are all designed to make Ireland a more attractive tourist destination, particularly in the UK, and to boost jobs in this industry.

I met with Prime Minister Cameron in Government Buildings on the evening of Wednesday, 18 May. Our discussions focused on the complete transformation of the relationship between Britain and Ireland in recent years. The closeness of that relationship has been demonstrated by the warmth with which the Queen has been received in this country.

We also discussed EU issues and our shared economic difficulties.

We had a discussion of legacy issues related to Northern Ireland, including the cases of Pat Finucane and the Dublin Monaghan bombings, which was the subject of an all-party motion of the House. The Tánaiste also raised the matter with the British Foreign Secretary, William Hague, when he met him last week. I understand the Tánaiste also met with Justice for the Forgotten on 12 May last and thoroughly discussed the issues with them. He indicated his willingness to maintain contact with them.

I welcomed Queen Elizabeth to Government Buildings last Wednesday. During our meeting we reflected on the strong relationship between our two countries and the historic nature of the visit by the Queen.

This was a truly historic occasion which marked a further strengthening and maturing of the bilateral relationship between our two countries.

An Ceann Comhairle: I propose to call Deputies in the order in which their questions appear on the Order Paper. I call Deputy Micheál Martin.

Deputy Micheál Martin: I have tabled five questions and I will endeavour to be brief and concise and will summarise the five questions.

An Ceann Comhairle: I will allow one supplementary and come back to Deputies again.

Deputy Micheál Martin: In advance of his meeting with the Prime Minister on 8 April, the Taoiseach said jobs would be a major part of the discussion. In the briefing after the meeting, there was no mention of jobs whatsoever. Before the meeting, the Government press office said it would be the first meeting of a diplomatic initiative concerning the European Union interest rate. Afterwards, the Taoiseach said it had never been part of a diplomatic initiative. In both instances, does the Taoiseach agree the less effort put into spinning in advance of meetings the better it would be in terms of clarity and accuracy?

Deputy Derek Keating: Deputy Martin is a master of spin.

Deputy Micheál Martin: With regard to the visit of Queen Elizabeth II, I agree with the Taoiseach's observation that it was an historic occasion which reflected very well on the country and on all involved in the organisation and facilitation of the visit. It illustrated the transformation of relationships between Ireland and Great Britain and between people of different traditions on the island of Ireland. Would the Taoiseach agree the gardaí, in particular, with the Defence Forces did an excellent job and stopped a tiny minority from spoiling an event which commanded almost universal support from our people, as was evidenced on the streets of Cork last Friday where there was a genuinely warm welcome? Would the Taoiseach agree his predecessor, the former Taoiseach Mr. Brian Cowen, deserves some credit for facilitating and agreeing to this historic visit while in office and that it was a testament to his commitment to building relations between Great Britain and Ireland?

At his meeting last week with the Prime Minister, Mr. David Cameron, did the Taoiseach raise the filling of the vacant IMF post? It is reported that strong support is emerging for the candidacy of Christine Lagarde, with the support of the United Kingdom. I can understand the position of the Government with regard to that appointment. However, it is important that we make it clear that the policies on corporation tax that she may have adopted as a French finance minister, should not be reflected if she were to become managing director of the IMF. That would be important in terms of the IMF's historical position of wanting a sustainable recovery package and a sustainable financing package for Ireland.

Can the Taoiseach elaborate on the nature of his discussion with the Prime Minister on the Dublin and Monaghan bombings and the Prime Minister's response, specifically to the issue of releasing the files? There can be no justification for continuing to cover up these files.

Deputy Finian McGrath: Hear, hear.

Deputy Micheál Martin: Whatever is in them can be no worse than the conspiracy theories that have developed because of the failure to release them and the implied desire to keep them secret. That is now fuelling all sorts of conspiracy theories about the situation. Does the Taoiseach agree that only when this matter is addressed can the British Government reclaim the high moral ground over other groups which, I accept, have far more questions to answer?

The Taoiseach: The Deputy raises several issues. The question of jobs is central to the development and strengthening of the economies of both Ireland and Great Britain. In that context, the Deputy will be aware the British Prime Minister circulated a document at the Heads of Government meeting on the development of the Internal Market and the capacity of Europe to perform much better and more strongly in the area of job creation, whether in respect of competitiveness, the cutting out of red tape, bureaucracy and duplication, the cost of setting up businesses and the potential for further trading relationships between our two islands and internally within the European countries.

What was not at issue when we raised this previously was the specific question of a reduction in the interest rate on the British bilateral loan to Ireland. This was not an issue to be discussed and, while some media reports indicated it would become a central issue, it did not.

I agree and recognise, of course, that my predecessor, former Deputy Brian Cowen, was supportive of the invitation being extended by President McAleese to Queen Elizabeth. I agree that the people of Ireland responded magnificently in terms of their dignity, understanding and warmth of reception throughout the past week in respect of the visit of the Queen, the funeral of the late, lamented Deputy Garret FitzGerald and yesterday's occasion of the visit of the US President. I also agree that the agencies and bodies associated with these events did a remarkable job in very constrained circumstances regarding time and the pressure arising from one issue or another.

Those who tried to shame our nation with their activities leave a lot to be desired. The vast majority of the Irish people would make one feel proud to be from this country and stood up for our country in the way we would expect them to do. Protest is legitimate in any democracy and that protest should be peaceful. However, the actions of those who try to disrupt or carry out other activities leave a lot to be desired in respect of their Irishness. Everybody is entitled to engage in peaceful protest but not in the way some intended to do.

Individual Ministers will contact the agencies and organisations which played such an important part in the visit of the Queen, whether the local authorities, the Office of Public Works, the Department of Finance, the Department of the Taoiseach, the Department of Foreign Affairs, the Garda Síochána, the Army, the Civil Defence or the health agencies, including ambulance personnel and so on. From that point of view, everybody played their part and did a remarkable job. I commend them fully for that.

The question of the vacancy that now exists in the IMF was not discussed in any detail at the meeting with Prime Minister Cameron. This is a global position and, as the Deputy is aware, it has been held by a European candidate for some time. While it appears there is a strengthening position behind one candidate, that is not absolutely clear yet. A candidate from Turkey was nominated, or was at least mentioned as being a candidate for nomination, but withdrew. Whether it ends with Christine Lagarde being the only candidate, I cannot yet say, but the matter was not discussed in any detail at our meeting.

In respect of the Dublin-Monaghan bombings, as I undertook to the House, I raised this matter with the British Prime Minister, having raised it in London at the previous meeting. We are both of the view that the truth is absolutely essential in all of these cases. The Prime Minister himself raised the question of the inquiry into the Pat Finucane case. There is a recognition that what we do not want is to end up with a whole series of public inquiries. We need to examine how we might deal with this. There were some comments from Deputy Adams last week in respect of other incidents where information might be made available.

Mr. Justice Barron and Mr. McEntee SC went into this in considerable detail. The British Government is of the opinion the information it supplied is all the relevant information it intends to supply.

Deputy Micheál Martin: All it intends to supply.

The Taoiseach: I do not have the authority to instruct that Government to supply information in other files. I am sure the Deputy raised the matter when he was in the Department of Foreign Affairs.

I would like to think, as I gave an undertaking to the House, that we will continue to work in this area. The Tánaiste met the Justice for the Forgotten group and explored this issue in some detail. As a Government, we will continue to work with the British Government to see if there is other, further information that might and should be made available. In that context we discussed several cases but did not get around to discussing the Nelson case, the subject of a report just issued.

Deputy Richard Boyd Barrett: Setting aside the fanfare and celebrations surrounding the Queen's visit, and following some commentary in newspapers on Sunday about what one might term the deeper political subtext to the meeting with the Prime Minister, Mr. Cameron, and the two State visits in general, it has been suggested there is a tactical or strategic shift taking place in our policy — towards the Anglo-American rather than the Franco-German axis — in the hope of putting a little pressure on the European authorities to relax the terms of the EU-IMF deal. I hope the Taoiseach will comment, and state whether it was the thinking of Government that such was part of the rationale behind the visit.

If that is the case, will the Taoiseach agree with me that this thinking is misplaced and misguided? Although there have been some criticism and comments on the part of the IMF about the unsustainability of the deal, the loan agreement, the EU-IMF package and the need to ease up in that regard, the fact is that these two factions of the global establishment are agreed that ordinary working people, the citizens of this country, should pay off the gambling debts of the banks of private financial institutions. An interest rate reduction of one percentage point here or there is not really the point; the whole deal is unfair and unsustainable. That is what we should have raised with the Prime Minister Mr. David Cameron. If I heard it correctly, I am surprised the Taoiseach stated he did not discuss this matter with the Prime Minister. Surely the most pressing issue facing this country is the unsustainable debt burden which has been loaded on the backs of people in the interests of paying off bankers and bondholders. Is that not what we should mention to Mr. David Cameron, the IMF, and to President Barack Obama, if the allegations made by Professor Morgan Kelly about the intervention of the President's Treasury Secretary, Timothy Geithner, in vetoing proposals to burn the unguaranteed bondholders are correct? Should we not state that we cannot pay the gambling debts of bankers?

In regard to the Dublin-Monaghan bombings, the Taoiseach stated that he spoke with the Prime Minister about the issue but it is not clear from his response what the Prime Minister will do about it. A very simple request was made by Justice for the Forgotten. A unanimous motion was passed in the Dáil Chamber to the effect the relevant files should be released. Could the Taoiseach tell us, on foot of the simple request that the files in the possession of the British Government relating to the Dublin-Monaghan bombings should be released, whether the Prime Minister, Mr. Cameron is giving us and the families a commitment on the matter? It is a simple matter and does not require bringing in other, wider issues involving truth commissions and so on. It is a simple, straightforward request. The families deserve justice and the truth. Will the Prime Minister, Mr. Cameron give them the truth and release the files?

The Taoiseach: That is a pretty long question.

Deputy Richard Boyd Barrett: It was shorter than Deputy Martin's.

Deputy Micheál Martin: I had five questions.

The Taoiseach: I believe I saw the Deputy in the GPO at one of those peaceful protests during the past week. There is no subtext or conspiracy theory such as the Deputy has put forward. The Government is perfectly entitled to foster strengthened relationships between ourselves and the British Government and between the two countries, as we do with the American people and the American Government and as we continue to do with our colleagues in Europe. There is no strategic or axis shift of the kind which the Deputy has put forward. The British Treasury has been supportive in general of Ireland's position. There was no discussion about the interest rate on the bilateral loan extended from Britain. Perhaps the Deputy did not hear that clearly. There was no discussion about that nor was it intended that there should be.

On the question of dealing with the IMF and the EU and such matters, Ireland has always been central to the European process and we continue to be central to the European process. We continue to make our case for the expansion of European trade within the context of the Single Market and its potential. As the Deputy is aware, we continue to negotiate with our colleagues at a European level about the conditions and the extent of the improvements that might be made on the IMF-EU bailout deal.

The Deputy asked a question in respect of the Prime Minister, Mr. Cameron and the Dublin-Monaghan bombings. I was a party to the all-party motion in the House and I support that motion. However, I am not in control of the British Government or its files on any matter. As I stated to Deputy Martin, we will continue to raise the matter with the British Government in the interests of truth. Mr. Justice Barron and Mr. MacEntee went into this matter in considerable detail. There is an all-party motion published by the House of which we are supportive and which we will continue to raise. As late as last week, the Tánaiste met with Justice for the Forgotten, the members of which have been clear and straightforward in their views. We do not control any other Government's right to produce information or otherwise. I am keen that the truth be made known in all of these things. Last week, I commended Deputy Adams on his indication that information might be forthcoming in respect of several other incidents.

Deputy Gerry Adams: I commend the Taoiseach on the way he represented the people of this State and his Office during these visits, go háirithe i rith thórraimh Garret FitzGerald. Rinne an Taoiseach jab an-mhaith agus gabhaim comhghairdeas leis faoi sin. I wish to concentrate my remarks on the Dublin-Monaghan bombings. We are calling on the British Government to allow access by an independent, international judicial figure to all original documents held by the British Government which were sought by Mr. Justice Barron. What is the purpose? It is to assess these documents with the aim of assisting in the resolution of these crimes. The British Government admits that it has files which it has not handed over. What possible reason can it have for not handing over files, especially now, as the Taoiseach has asserted, there has been a complete transformation of relationships between Ireland and Britain? What possible reason is there?

The Taoiseach has heard me state previously that although much progress has been made and we have all worked towards it, we will not have a complete transformation until the partition of the island has ended. This party represents people, including people in the North, who have suffered grievously and who seek a complete transformation of the relationship as well. There are legacy issues and the Dublin-Monaghan bombings is one of them. The bombing of Kay's Tavern in my constituency of Louth is another. I am pleased that the case of Mr. Pat Finucane is now being discussed with the British Government. These issues will continue to fester because people do not have closure. I have already acknowledged that there is a job for all of the combatant forces to assist in a process of truth recovery now the war, thankfully, is over. I

know the Taoiseach does not have responsibility for the British Government, and I know there are difficulties getting the British Government to do things to face up to these matters, but recently Mr. William Hague MP allowed for an inquiry into British Government actions during the Mau Mau campaign, allowing for files relating to it to be opened. The files on these matters are there, the families have asked for them and the Oireachtas has voted for them. What did David Cameron say? Did he say “No”? If he indicated a negative response, did the Taoiseach say that we accepted that or did not accept it?

The issue of funding for Justice for the Forgotten is an issue that falls under the Taoiseach’s authority. It is incomprehensible that the group is not funded. The money in question would be a pittance in comparison to the money that has been given to the banks.

The case of Ms Rosemary Nelson is very important. She was an officer of the court and a human rights lawyer, a person who tried to use the law — I knew her — to bring justice to victims and the people of the Garvaghy Road. That report was spun by the British Secretary of State, Mr. Owen Patterson, in a way that does not reflect any sense of a new relationship between the people of these islands and to which the family of Ms Rosemary Nelson objected.

Will the Taoiseach respond to these issues? Until the legacy issues are resolved, they will continue to undermine the work we have all done to bring about the complete transformation he mentioned.

The Taoiseach: On the case of Ms Rosemary Nelson, I note the Secretary of State apologised on behalf of the British state and the Chief Constable apologised on behalf of the police. I recall discussions about the late Ms Rosemary Nelson here but, on the publication of the report, our thoughts should be with her husband Paul and her children. She was a human rights lawyer and her work centred on rights and the law, which was critical.

We can focus our debate on Dublin and Monaghan. It was not a case of a “Yes” or “No” answer. It is a case of raising an issue I indicated at my first meeting with the Prime Minister would become an issue on the arrival of the Queen here. I undertook on behalf of Deputy Martin to raise it and I did so. We discussed a number of cases, including the Pat Finucane case.

Rather than giving an indication that we will proceed down a road of repeating public inquiries, we should look at several options and list those cases and incidents where some progress might be made. Many of these were quite a number of years ago, as the Deputy is well aware.

3 o'clock It is true that for those involved who lost loved ones in particular, closure is never brought until facts and the truth are known. Many of these cases are sensitive and difficult. As far as I am concerned, I do not have access to whatever files there are, or information about their contents, nor do I have the authority to divulge them. On behalf of the Government, the people and on foot of the motions that have been passed by this House, I will continue to work in the light of transformed relationships between our two islands with the British Government about this and related matters.

Deputy Joe Higgins: Did it occur to the Taoiseach at all that the political establishment in this State, and the established media, lost their collective reason over the past week and seemed to have lost all touch with reality, with the intoxication of the visits by high profile establishment figures, the Queen and the Prime Minister of Britain and President Obama?

Is it not clear that all elements of the establishment investigated meanings and significance into these visits that went way beyond reality and that it was done as a convenient distraction from the disaster inflicted by that self-same establishment in its various components on our people, with disastrous economic consequences? Has the Taoiseach an estimate of the costs of these visits? What on earth are we going to do with all the steel barriers that would stretch from Dublin to Castlebar and back many times? Will he consider erecting them along the east

[Deputy Joe Higgins.]

coast to perhaps prevent further invasions by the EU-IMF and so for once give them a useful use for the people?

The Taoiseach correctly said he is not in control of the British Government but he is in control of the Irish Government and therefore responsible for the critical issues of our economy. Is the Taoiseach seriously telling the House that he did not discuss with Prime Minister Cameron the interest rate on the loan of the British Government to Ireland following the disastrous financial crisis, that he did not discuss the issue of the interest rate set down by the EU-IMF and ECB? Did the Taoiseach lobby that Britain would support a sharp reduction in those interest rates? Did he discuss the fact of the grip of the bondholders on this country and the fact that they should be burned? If he did not discuss these issues, what was the meeting about in terms of economic issues because these are among the most critical issues we face?

The Taoiseach: One of these days the Deputy might find something positive in what happens in our country. One of these days he might reflect on the pride our people feel in being Irish in welcoming the Queen of England and the American President in the context of what these visits can do for our respective countries, for our economy, for our people and for jobs. He might reflect on that and he might some time actually break through his own collective reason and recover it. He used to have it years ago when he was Member of a previous Dáil.

I did not discuss with the Prime Minister the question of the interest rate on the bilateral loan from Britain and I have made that clear. I discussed with him the question of the reduction of the interest rate on the European end of that loan because it is all part of the one package. I also explained to him — of which he was aware because he was at the meeting — that responsibility had been devolved down to the Minister for Finance to continue negotiations and this work is ongoing. The question of the interest rate for the IMF-EU package was discussed and I explained that to him.

As to Deputy Higgins's comments about meaning and significance and disaster, I do not have the final cost of the visits of the Queen and the American President but this information will be given to the House when it is compiled. The barricades to which the Deputy referred could also go to Dingle, which he knows attracts many tourists and which I hope will attract more as a consequence of both of these visits. I advise him not to be downhearted as there is a bright future ahead for our country and I hope some day the Deputy will realise this and participate in the pride and good feeling of our people when they see we are making progress.

Deputies: Hear, hear.

The Taoiseach: I know he can be helpful in this regard.

Deputy Brendan Howlin: Deputy Higgins used to have a sense of joy.

Deputy Joe Higgins: The Taoiseach is saying that he did not discuss with the Prime Minister the single issue that the Prime Minister controls, the interest rate on that debt.

An Ceann Comhairle: Just a moment, I ask the Deputy to please resume his seat.

Deputy Joe Higgins: That is incredible.

An Ceann Comhairle: The Deputy should please resume his seat.

The Taoiseach: It is part of the three-country bilateral loan to Ireland.

Deputy Joe Higgins: Yes.

The Taoiseach: It has been provided in the bigger context of the IMF-EU deal, which we discussed.

Deputy Joe Higgins: The Taoiseach did not discuss the only issue that the Prime Minister could determine.

An Ceann Comhairle: Sorry, Deputy——

The Taoiseach: One of the jobs of a Minister——

An Ceann Comhairle: I ask the Taoiseach not to encourage Deputy Higgins.

Deputy Joe Higgins: The Ceann Comhairle should not encourage the Taoiseach.

Deputy Finian McGrath: What about the Dingle remark?

An Ceann Comhairle: Before I allow a further supplementary question from each Deputy, I remind Deputies that Question Time is not about imparting information — it is about seeking information.

Deputies: Hear, hear.

Deputy Jerry Buttimer: There should be no Second Stage speeches.

Deputy Finian McGrath: We are trying to get answers.

An Ceann Comhairle: I will allow each Deputy who has tabled a question in this group to ask a supplementary question seeking information.

Deputy Micheál Martin: There are 11 questions in this group, five of which are in my name.

An Ceann Comhairle: I know.

Deputy Micheál Martin: I appreciate the Ceann Comhairle's decision to facilitate the asking of a supplementary question.

Deputy Jerry Buttimer: God bless the advisers.

Deputy Micheál Martin: I will concentrate on two issues. I find it incredible that the Taoiseach did not raise the question of the interest rate on the bilateral loan with Great Britain. I simply want to ask the Taoiseach why he did not raise the possibility of a reduction. Given that we are raising this issue across Europe — there is a consistency between the two matters — it would seem like a logical thing to do. If our near neighbours were to respond to our request to reduce the interest rate, it would send a strong signal. Can the Taoiseach tell the House why he did not pursue this specific bilateral issue with Britain?

I would like to refer to the Taoiseach's comments on the inquiry into the Dublin and Monaghan bombings. I must say I am very disappointed with the response. In his original reply, the Taoiseach said — he can correct me if I am wrong — that the British Prime Minister told him the British authorities have supplied all the information they intend to supply. That means “no”, basically.

An Ceann Comhairle: Sorry, Deputy——

Deputy Micheál Martin: I am asking the Taoiseach if he agrees that the Prime Minister has, in essence, refused the request of the Taoiseach and Dáil Éireann that the files be released to

[Deputy Micheál Martin.]

enable the inquiry to proceed and the truth to be established. Did he tell the British Prime Minister that his position and that of the British Government is unacceptable and is fuelling conspiracy theories about what actually happened? As this event was the single greatest atrocity of the Troubles — the one in which the largest number of people were killed — it is unacceptable that these files are not being released. Did the Taoiseach put it to Prime Minister Cameron that his commendable response to the findings of the Bloody Sunday inquiry had an enormous impact——

An Ceann Comhairle: The Deputy should ask a supplementary question

Deputy Micheál Martin: ——on the streets of Derry and the streets of this country? Did he suggest that a similar move in the case of the Dublin and Monaghan bombings would get the same response from the people of this island? People like the representatives of Justice for the Forgotten and the relatives and families are entitled to that at this stage. I get a sense from the Taoiseach's weak reply that he is washing his hands of the issue.

An Ceann Comhairle: Sorry——

Deputy Micheál Martin: It seems that a certain lip service is being paid to the motion that was unanimously passed by the Dáil.

An Ceann Comhairle: Is the Deputy asking a question?

Deputy Micheál Martin: I am indeed because it is a very important issue.

An Ceann Comhairle: The Deputy was a Minister for a long time, so he knows exactly what I am speaking about.

Deputy Micheál Martin: I know well indeed.

An Ceann Comhairle: Please respect the Chair.

Deputy Micheál Martin: I am.

An Ceann Comhairle: As a senior politician, the Deputy knows exactly what I am talking about.

Deputy Micheál Martin: I would have thought I was respecting the Chair.

An Ceann Comhairle: It is almost 3.10 p.m.

Deputy Jerry Buttimer: The Deputy is a former Minister for Foreign Affairs.

Deputy Micheál Martin: I have asked the question so we can get on with it.

Deputy Finian McGrath: This is a serious matter.

The Taoiseach: The central point at issue here is the fact that this country is in an IMF-EU bailout deal. The country did not go into this in a voluntary capacity. The previous Government repeatedly denied that we were approaching that cliff. Significant negotiations are required to try to undo the interest rate negotiated by the previous Government.

Deputies: Hear, hear.

Deputy Micheál Martin: That is not the truth.

Deputy Brendan Howlin: It is true.

Deputy Bernard J. Durkan: It is true.

The Taoiseach: The first point of discussion and negotiation, which has been devolved from the Heads of Government to the Ministers for Finance, will have to bring about an improvement in that situation. That work is still going on.

Deputy Micheál Martin: What about the bilateral loan?

The Taoiseach: The point that needs to be made with regard to the bilateral loan that was given by the British Government and two other Governments to Ireland is that the British Treasury has been supportive of Ireland on more than one occasion. The British authorities granted a bilateral loan at an early stage. We should continue to work to improve the IMF-EU situation, as a first port of call, before we look at the question of any further concession in respect of the bilateral loan from Britain. This is all part of the bigger picture left by the previous Government on which we are working. I never intended to raise the issue at my meetings with the Prime Minister.

It is beneath Deputy Martin to say we intend to wash our hands or pay lip service to those who died in the Dublin and Monaghan bombings or any other bombings in respect of information that may be made available. I do not know the extent of files that exist or the information in those files. Deputy Martin was told by the British Government that the information it supplied was all it intended to supply. He did not say “No” at that stage and nor will I do so. As I said, in the transformed relationships that now exist between our two Governments and countries we will continue to work in this area of sensitivity, not only in respect of the Dublin and Monaghan bombings but also on a long list of other cases. The Prime Minister was very strong in his apology arising from the Saville inquiry which, as Deputy Martin knows, cost more than €200 million. While it is difficult to put a price on the truth, the Government is committed. Far from paying lip service or washing our hands, we will continue to work with the British Government. I reminded the Prime Minister that the House has, on more than one occasion, put together all-party recommendations seeking the release of information and in a number of other areas.

An Ceann Comhairle: As only three minutes are available to us, I ask Deputies to ask a brief supplementary question, after which I will ask the Taoiseach to reply.

Deputy Richard Boyd Barrett: I put it to the Taoiseach that his response has confirmed what he described as my conspiracy theory, which was nothing more than commentary in the Sunday newspapers. Perhaps he was too busy to read the newspapers at the weekend. While I am open to correction, the Taoiseach appears to have indicated he did not discuss with the British Government the interest rate on the bilateral loan. I asked him previously about the——

An Ceann Comhairle: The Deputy should ask a brief supplementary question.

Deputy Richard Boyd Barrett: I am seeking clarification from the Taoiseach.

An Ceann Comhairle: There is no point in the Deputy repeating what he has been told. He should ask a supplementary question.

Deputy Richard Boyd Barrett: I have not been given a clear answer.

Deputy Bernard J. Durkan: The Deputy did not ask a question.

Deputy Richard Boyd Barrett: The Taoiseach did not discuss the alleged intervention of Timothy Geithner on the issue of burning bondholders. If, as he informed the House, he only discussed the terms of the IMF-EU deal, is it not the case that we are grovelling before the United States and Britain in the hope——

An Ceann Comhairle: Does the Deputy have a question?

Deputy Richard Boyd Barrett: ——that we may obtain a small change in the interest rate on the IMF-EU deal?

An Ceann Comhairle: Will the Deputy please put a question?

Deputy Richard Boyd Barrett: Is that not a pathetic approach when we should be pointing out that Britain and, it appears, the United States and European Union——

An Ceann Comhairle: Other Deputies are waiting to ask a supplementary question. Will the Deputy stop making a speech and put a question?

Deputy Richard Boyd Barrett: ——are all enforcing the gambling debts of bankers across Europe, including British bankers, on the backs of ordinary people in this country?

Deputy Gerry Adams: The Taoiseach did not answer my question about funding for Justice for the Forgotten. While I fully accept that many other deaths must be dealt with, the specific question that arises in this respect is what the Government intends to do to press issues of collusion and killings in this State, including the killing of one of our party colleagues, Councillor Eddie Fullerton. What is the position regarding funding for Justice for the Forgotten?

Deputy Joe Higgins: The loan the British Government extended to the Irish State for its own clear economic and selfish reasons is set at a relatively high interest rate over which Prime Minister Cameron has complete control. Why did the Taoiseach not discuss a reduction of this interest rate when he met the Prime Minister?

The Taoiseach: The bilateral loan interest rate is linked to the IMF-EU rate, which is the focus of our attention. One rate has an impact on the other and being good, practical people, we focus on the main area of attention, namely, the element of the IMF-EU deal that Heads of Government devolved to Ministers for Finance to deal with. It has a consequence for bilateral interest rates.

The Government intends to work with the British Government on a range of issues. I will write to Deputy Adams on this matter shortly because it is not one to be dealt with in isolation or as a single issue. It is sensitive and highly personal and closure does not come until the facts and truth emerge. This is one of a long litany that needs to be dealt with. It is a case of determining what is the best thing to do.

In so far as the information on any files held by the British Government is concerned we will continue to work in that area, as has gone on for quite a number of years, to see if we can make progress. We have had our endorsements from the Oireachtas, including from all parts of this House, and I have said that to the British Prime Minister. That is not new and we will continue to work on that area.

Deputy Gerry Adams: And the funding issue, Taoiseach.

The Taoiseach: I will examine that question and come back to the Deputy on it.

An Ceann Comhairle: That completes Taoiseach's Questions for today.

Priority Questions

Security for State Visits

40. **Deputy Dara Calleary** asked the Minister for Defence the role that was played by the Defence Forces in providing security for the State visits of Queen Elizabeth II and United States President Barack Obama. [12130/11]

Minister for Defence (Deputy Alan Shatter): Security arrangements for the visits of Queen Elizabeth II and the President of the United States were primarily an operational matter for An Garda Síochána. Among the roles assigned to the Defence Forces in the 2000 White Paper on Defence is the provision of aid to the civil power — meaning in practice to assist, when requested, An Garda Síochána. With regard to these two hugely successful visits, the role played by the Defence Forces included search, surveillance and security operations on land, at sea and in the air as requested by, and in support of, An Garda Síochána. The Defence Forces were also involved in the guarding of vital installations and in the provision of ceremonial duties as part of Queen Elizabeth's State visit.

Consultations on the role and requirements of the Defence Forces, in advance and throughout the two visits, were ongoing with An Garda Síochána. Having regard to future similar scale events, it would be inappropriate for me to indicate the nature and extent of any of the particular roles which the Defence Forces may have undertaken.

It is only appropriate that, on my own behalf and on behalf of the Government, I should thank members of the Defence Forces and An Garda Síochána for the Trojan work which they undertook both in preparation for and during the visits. Their professionalism, whether it was in providing the necessary security arrangements or participating in the ceremonial aspects, has contributed greatly to the success of the visits and once again shows their commitment and dedication.

In this regard, I also wish to commend the Defence Forces for the great dignity with which they carried out their role during last weekend's State funeral of our former Taoiseach, Dr. Garret FitzGerald. Indeed, in relation to all of the historic events that have taken place over the past week, I particularly wish to express my appreciation to the Chief of Staff of the Defence Forces and to the Garda Commissioner, and their senior staff, for the leadership that they have shown to their respective organisations.

The vast majority of people in the State welcomed Queen Elizabeth and Prince Philip to our country and also the visit of President Obama. In praising the enormous contribution of both An Garda Síochána and the Defence Forces to these events, it is appropriate that I should say something more about security matters. While the right to peaceful protest is a vital part of our democracy and is a fundamental constitutional right, it is unacceptable that the many thousands of people who would have wished to welcome Queen Elizabeth and Prince Philip on our streets, and to view personally the historic events that took place during last week's visit, were largely confined to doing so on their television screens because of the threat posed by a small minority of malcontents, criminal terrorists and thugs. It would not have been necessary to mount such an intensive and expensive security operation if not for the conduct of these people.

It is disturbing that despite the external threat posed by fundamental extremist groups, many thousands of people who attended the visit of President Obama in College Green yesterday

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were, for security reasons arising from the threats and actions of domestic home-grown groups of malcontents, unable to be in similar proximity to Queen Elizabeth and Prince Philip during the royal visit. This is deeply regrettable. I hope that on any future visit this will not cause a further difficulty and require a similar level of security.

I want expressly and publicly to thank both An Garda Síochána and the Defence Forces for rapidly responding to a multiplicity of hoax bomb calls over the past week, and the Defence Forces for their engagement in dealing with a small number of devices intended to cause injury and disrupt the royal visit. On behalf of the Government I want to make it clear that the full rigours of the law have been, and will be, brought to bear on those responsible and in all cases, where appropriate, prosecutions will be initiated.

Deputy Dara Calleary: On behalf of the Fianna Fáil Party, I join the Minister in thanking the Defence Forces and the Garda for the manner in which they policed and managed the past week's events, the Queen's visit and the visit by President Obama yesterday. The dignity they brought to the ceremonies involving their predecessors in the Garden of Remembrance and at Islandbridge showed that they are the true Óglaigh na hÉireann. Those who steal that badge and refuse to give it due credence were shown for what they were last week by the magnificent role played by the Defence Forces in particular. I noted the manner in which the Defence Forces were able to perform a wide range of professional duties, which shows the talents we have in our relatively small Permanent Defence Force and the skills available to it. Its work was done in good humour and with good grace throughout the week.

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

Deputy Dara Calleary: Last week, we asked about the budget for the Department of Justice and Equality. The bills have not come in yet, but will it be necessary to table a new Estimate in the House in respect of the Department of Defence, given the extra cost and overtime involved in the week's events? If not, will the Minister allocate the expenditure for last week from other subheads within the Department?

Deputy Alan Shatter: The approximate cost of the Defence Forces' involvement is currently estimated to be €1.1million for the visit of Queen Elizabeth and approximately €630,000 for the visit of President Obama. In the context of the Garda's involvement, we do not yet have a final figure. When it becomes known, it will be made publicly available.

In the context of the need for a Supplementary Estimate, decisions in those areas have not been made. In light of both visits, we were anxious to ensure that the capacity of the Garda to provide a full and proper policing service to the end of the year, to meet all of its obligations and to do what is essential to address the issues that fall within its remit would not be impaired. The Government will address that issue when the final bill comes in and the final amounts are known.

With regard to the Defence Forces budget, it is unlikely that there will be a need for any Supplementary Estimate, but we have only just got the final figures. Should an issue arise out of them, the House will certainly be informed but, at this stage, I do not anticipate the need for a Supplementary Estimate.

Naval Service Operations

41. **Deputy Jonathan O'Brien** asked the Minister for Defence the amount of Defence Forces personnel and resources that are involved in anti-smuggling and anti-drugs activities and the

amount of Defence Forces personnel and resources that are committed to this action on a constant dedicated basis; and if he will make a statement on the matter. [12134/11]

Deputy Alan Shatter: The customs service of the Revenue Commissioners has primary responsibility for prevention of drug smuggling into the country and responsibility for prevention of crime rests primarily with An Garda Síochána. However, the White Paper on Defence provides for a security role for the Naval Service and the Air Corps to assist and support the civil authorities in this important work.

The joint task force on drug interdiction, established in 1993 as a Government measure to improve law enforcement in respect of drugs, consists of members of An Garda Síochána, the customs service and the Naval Service. Drug interdiction is carried out by naval ships on receipt of intelligence from the joint task force. The Naval Service operates eight general purpose patrol ships, which are tasked with coastal and offshore patrolling and surveillance for the State in that part of the seas where State jurisdiction applies. The primary day-to-day tasking of the Naval Service is to provide a fishery protection service in accordance with the State's obligations as a member of the European Union.

The Naval Service is committed to having at least three vessels on patrol within the Irish exclusive economic zone at any one time. All vessels are multi-tasked in the sense that they also undertake general surveillance, security and other duties while on fisheries patrol. However, as the need arises, Naval Service vessels are deployed to other duties including drug interdiction operations.

The Naval Service, as a member of the joint task force, is also committed to an international initiative, the Maritime Analysis and Operations Centre — Narcotics, MAOC-N. The centre, which was established in 2007, has led to a greater focus on intelligence exchange among countries to tackle large drug shipments by sea. It was set up by seven European countries and is designed as an international co-ordination force with access to national tasking agencies and requires participation and resources from all active members. An Garda Síochána and the customs service have full-time officers based at the centre in Lisbon. Naval Service personnel travel to the centre when requested by the joint task force.

Additional information not given on the floor of the House.

The acquisition of the two new offshore patrol vessels for the Naval Service will ensure that the service can continue to carry out its drug interdiction and other roles in increasingly difficult and dangerous sea conditions in the Atlantic. Preparations for their construction have commenced at Appledore in the UK and the first vessel is scheduled for delivery in early 2014. The second vessel will follow one year later.

Air Corps personnel and resources are also involved in efforts to prevent drug trafficking. The Air Corps maritime squadron carries out aerial surveillance of our exclusive economic zone using the two CASA maritime patrol aircraft. These aircraft underwent mid-life upgrades, which were completed in 2008 at a cost of €16.5 million. The upgrades included the fitting of state-of-the-art surveillance and communication equipment. At times, the Air Corps has also carried members of the customs national drugs team in an observational capacity for the purposes of monitoring vessels suspected of smuggling drugs.

Defence Forces personnel and resources are not dedicated solely to drug interdiction operations. However, prevention of drug smuggling is recognised as an important part of their many duties.

Deputy Jonathan O'Brien: Given the nature of Ireland as an island and our coastline, many view Ireland as a drop off point for the rest of Europe. Taking this into account, what type of

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co-operation is there at European level in combating drugs and what role do the Defence Forces play in that regard?

I take it from the Minister's answer that no set percentage of the budget is allocated for anti-smuggling operations. Are those operations conducted on a day-to-day basis or are they responses based on intelligence?

Deputy Alan Shatter: To some extent, it is based on both. It is based on intelligence received or, at times, other initiatives can be taken when circumstances arise. In the context of dealing with matters on a co-ordinated basis, I have referred to the MAOC-N, based in Lisbon, which we participate in and from which we receive intelligence information. The navy also receives information from An Garda Síochána and the customs service. The navy has been successful in terms of drug seizures. For example, two major consignments of cocaine were seized at sea in recent years, one in 2007 in Dunlough Bay and one off the west County Cork coast in 2008. These operations resulted in the seizure of 3.2 tonnes of cocaine, which had an approximate street value of €1.2 billion.

The navy will continue to play a role in this area in the context of the co-operation in which it is engaged with the Garda Síochána and the customs service and in terms of what intelligence we receive in a European context. We are anxious to ensure that the shores of our State are not used as an access point for the importation of drugs that are sold to people in this State or elsewhere in Europe.

As the Deputy is aware, we have a limited Naval Service and our eight vessels cannot all be at sea at the same time. I have great admiration for the job done by the Naval Service and for its professionalism and expertise. At no stage has there been any suggestion that it would do anything other than its very best in seeking to tackle the drugs scourge.

Army Barracks

42. **Deputy Mattie McGrath** asked the Minister for Defence the plans he has to ensure the ongoing sustainability and development of Kixham Barracks, Clonmel, County Tipperary.
[12133/11]

Deputy Alan Shatter: Various commissions, reports and studies dating back to the 1990s identified barrack closure as a fundamental requirement towards improving military effectiveness and efficiency. The dispersal of Defence Forces personnel over an extended number of locations is a major impediment to essential collective training and the consolidation process is designed to facilitate higher training standards while freeing up under-utilised resources and personnel for operational duties. In addition, the funding realised from the disposal of surplus barracks and properties provides some of the resources required for infrastructure, training area development and equipment procurement.

The defence property portfolio is kept under review to ensure the most effective use of military resources having regard to the roles assigned by the Government to the Defence Forces. In this context, the dispersal of personnel over an extended number of locations is a major impediment to effectiveness and imposes increased and unnecessary overheads on the Defence Forces in terms of barrack management, administration, maintenance and security. 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. While no decision has been made on the future of any military installation, I cannot give a commitment that there will not be further programmes of barrack consolidation.

Deputy Mattie McGrath: I too am concerned, as Kichham Barracks is in a strategic location in the south east, with valuable personnel. I am sure the Defence Forces and the Garda Síochána were of great assistance in the past week with the visits of the Queen and President Obama to Tipperary. I would like to be associated fully and wholeheartedly with the comments the Minister made about the Garda. However, I have concerns about the future of the installation in Clonmel, which provides vital services in the community. I ask the Minister to pay a visit to Kichham Barracks to see first-hand what goes on and what a strategic location it is.

Deputy Alan Shatter: I thank Deputies McGrath and Calleary for their complimentary comments about the performance of the Defence Forces over the past week, which elicited a substantial amount of public admiration, including internationally. The manner in which our Defence Forces presented themselves and conducted their duties has resulted in substantial praise from different parts of the world. They should feel proud of themselves and we in the House should feel proud of them.

I appreciate the concerns expressed by the Deputy. As I said earlier, the key criterion will be the requirement to move towards improving military effectiveness and efficiency, and we must do so in the context of the difficult economic climate with which we are confronted and the limited funds available to the Government for current expenditure.

With the present spread of barracks, individual infantry battalions and their support services are spread over a number of locations. This has a severe impact on their ability to be fully effective, and must be addressed. However, as I said to the Deputy, no decisions have been made. Should I get the opportunity, I would be happy to accept the Deputy's invitation.

Defence Policy

43. **Deputy Dara Calleary** asked the Minister for Defence his plans for a White Paper on Defence; and if he will make a statement on the matter. [12131/11]

Deputy Alan Shatter: The 2000 White Paper on Defence was a central driver of the significant reform that has been pursued in the defence organisation during the past decade. There has been significant change to the defence and security environment since the publication of the White Paper, and the Defence Forces have developed and adapted to meet the changing demands. This was facilitated by a re-balancing of expenditure within the broad resource envelope that was available for defence, which allowed for necessary investment in equipment and infrastructure from the proceeds of pay savings and property sales.

The programme for Government sets out a target for fiscal consolidation in the period to 2015. In line with the programme for Government, a comprehensive review of expenditure is currently being undertaken by officials in my Department in co-operation with the military authorities. This review is critically examining how services can be delivered in the most efficient and effective manner and identifying options for the delivery of savings.

I believe there is now a requirement to prepare a new White Paper on Defence, given the ongoing changes in the defence and security environment and changes to the resource envelope available for defence. It is important that the policies we pursue are both realistic and effective. I wish to ensure that the process of developing a new White Paper provides an opportunity for an open debate about the defence and security challenges facing us over the coming years and how we should respond to these challenges. I have had preliminary discussions with officials in my Department as to the type of process that can best elicit the kind of debate that is necessary and desirable.

The current White Paper on Defence has served the defence organisation well. It will continue to provide the defence policy framework until the development of the new policy frame-

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work is complete. I look forward, as we develop a new White Paper, to the debate that will ensue about its possible content.

Deputy Dara Calleary: Is there a timetable for this process? As the Minister said, our Defence Forces are facing very different challenges in terms of international duties, which I am glad to see we have recommenced, and also in terms of the issue raised by Deputy O'Brien in his question, which is possibly the biggest challenge facing the Defence Forces. How does he intend to ensure we have constructive public involvement and that the challenges associated with the implementation of a White Paper will be fully met?

I acknowledge the transformation that has occurred in the Defence Forces under the previous White Paper. It is essential that we build on that transformation and challenge our Defence Forces to respond to it by giving them the most ambitious White Paper possible within the constraints that exist.

Deputy Alan Shatter: It is my recollection that the previous White Paper essentially emerged from the Government without substantial public debate. We do need a discussion process and we are giving thought to the different options that are available in this regard. I hope, in the not too distant future, to bring to the Government a proposal with regard to process. I expect that proposal will come to the Government before the Dáil goes into recess for the summer. Once a procedure has been adopted, we will then process matters further.

I discovered upon entering Government that despite the fact that the previous White Paper was envisaged to apply over a ten-year period, limited if any direction had been given to my departmental officials with regard to the scope or objectives of a new White Paper. That work is only now substantially commencing. As soon as the Government has agreed on the process to be applied, I will ensure the Deputy and the House are informed.

Defence Forces Equipment

44. **Deputy Jonathan O'Brien** asked the Minister for Defence if he will confirm that there have been no purchases of weapons, ammunition or equipment from the State of Israel since October 2010; his plans to put in place an ethical procurement system for the Defence Forces in which these kinds of materials would not be purchased from Governments involved in systemic human rights abuses; and if he will make a statement on the matter. [12052/11]

Deputy Alan Shatter: I am advised that there have not been any such purchases by my Department since October 2010.

The Deputy will appreciate that the principle of competitive tendering for Government contracts must be used by the Department of Defence for the acquisition of defensive equipment for the Defence Forces. Central to those procedures is the requirement to allow fair competition between suppliers through the submission of tenders following advertising of the tender competition on the eTenders website or on the European Defence Agency's electronic bulletin board. Such tender competitions are open to any individual company or country in accordance with the terms of all UN, OSCE and EU arms embargoes or restrictions. There are no such restrictions or embargoes in place on Israel or Israeli companies. The Irish Government has consistently been opposed to proposals for trade, diplomatic, cultural, academic, sporting or other boycotts of Israel.

The primary purpose of the procurement of defensive equipment by the Department of Defence is to enhance the capability of the Irish Defence Forces on overseas peace support operations and to afford the greatest possible force protection to Irish troops on such missions.

Deputy Jonathan O'Brien: I am glad to hear there has been no procurement from the State of Israel. I accept what the Minister said about tenders being open to companies from all countries, but does he agree that the question of which tender we accept is ultimately a decision for his Department?

Deputy Alan Shatter: I think the Deputy misheard me. I said there had been no such purchases from the State of Israel since October 2010. Ultimately, there is a tendering process to which there are applicable European Union regulations, and my Department adheres strictly to the prescription provided by the laws that we must observe.

Other Questions

Defence Forces Medical Services

45. **Deputy Peadar Tóibín** asked the Minister for Defence the position regarding the implementation of recommendations from the Defence Forces Medical Services Review; the recommendations he will now be prioritising; and if he will make a statement on the matter. [12053/11]

Deputy Alan Shatter: The PA report presented an assessment of the arrangements then in place for the provision of medical services for the Defence Forces and proposed a model for the future delivery of those services. The consultants recommended a programme of major change. As recommended by PA, a number of working groups were set up to proceed with the various projects. The working groups were tasked with identifying the practical steps that needed to be taken to achieve implementation of the PA vision for the future medical service. Of the five working groups, four have now completed their final reports, which have been accepted by the steering committee, while the fifth is due to submit its final report at the end of this month.

One of the key issues identified by PA was the requirement to provide for appropriate support and administrative structures to support the management and delivery of modern medical services. However, the PA report did not identify the detailed structures, numbers and processes needed within the recommended centralised command structure. This is the type of work which was undertaken by the working groups.

In the case of the recommended central command structure, the detailed report of the organisation and establishment working group has been approved and the implementation of the new central medical unit can now commence. This is a priority for the coming months and consultations with the representative associations, which have already been briefed on the medical review, are ongoing in this regard. The structure and systems recommended by PA are designed to meet the demands and needs of the modern Defence Forces. I am fully committed to providing a sustainable medical service to meet the needs of the Defence Forces both at home and overseas.

Deputy Jonathan O'Brien: I thank the Minister for his reply. Four of the five working groups have completed their work, while the fifth is due to report at the end of the month. Did these groups consider the different areas covered by the review? Will an additional report be forthcoming when the fifth working group has completed its deliberations? One of the measures which has been put in place is designed to ensure that there will be a systematic collection of all medical data by the Defence Forces in order that they can plan better and

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distribute health resources to meet health care demands. Will the Minister comment on that matter?

Deputy Alan Shatter: When the final working group has completed its deliberations we will have a clear vision of the way forward. I am anxious to implement what is necessary in this area. It is important that members of the Defence Forces should have available to them a modern medical service which meets their needs. We are going to ensure that we take the necessary steps to implement the conclusions reached by the various groups. I will be in a position, at a later stage, to provide the Deputy with additional information in that regard.

Defence Forces Strength

46. **Deputy Bernard J. Durkan** asked the Minister for Defence the optimum strength of the Defence Forces, army, navy and air corps; the strength of the officer corp; the degree to which the numbers will be maintained in the future with particular reference to the need to ensure that the strength of the forces is maintained at an adequate level to meet any emergencies that may arise; and if he will make a statement on the matter. [12073/11]

Deputy Alan Shatter: I assure the Deputy that, within the resource envelope available for the defence portfolio, I will endeavour to ensure that the Defence Forces are organised, equipped and staffed such that they will retain the operational capability necessary to allow them to deliver the services required of them by Government. The approved employment control framework, ECF, for the Defence Forces is based on a figure of 10,000 members of all ranks appropriately configured across the Army, Naval Service and Air Corps. In 2011, the defence organisation, like all areas of the public service, is operating on a reduced budget. The programme for Government sets out a target for further fiscal consolidation during the period to 2015.

In the context of the ECF and the available resource envelope, the military authorities and officials of the Department are in the process of agreeing a restructuring of the Permanent Defence Force to ensure its capability to meet the roles assigned to it by Government. I am advised by the military authorities that the strength of the Permanent Defence Force as of 30 April 2011, the latest date for which figures are available, was 9,658, comprising 7,864 Army, 790 Air Corps and 1,004 Naval Service personnel. The total number of commissioned officers serving as of 30 April 2011 was 1,352.

Overall numbers in the Permanent Defence Force, including numbers serving at various ranks, will be subject to ongoing control and monitoring on a monthly basis. This is to ensure compliance within the overall parameters and controls set by Government for each sector. The ECF also sets out that it will be necessary to underpin the reorganisation with the required amendments to regulations and administrative instructions.

Officials in my Department, in consultation with their colleagues in the military, are currently critically examining defence expenditure as part of the comprehensive review of expenditure, to which I referred in respect of an earlier question and which was recently announced by Government. The Government's decisions arising from the comprehensive review will further inform the resource envelope available for defence over the coming years and the priorities within the area of defence. I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government both at home and overseas.

Deputy Bernard J. Durkan: I thank the Minister for his comprehensive reply. In light of the pivotal role the Defence Forces play in dealing with emergencies caused by flooding, fires and inclement weather conditions by assisting with evacuations, etc., will the Minister provide an

assurance that the degree to which the Defence Forces are likely to be able to respond to such emergencies in the future will not — even in the context of the current and difficult economic circumstances — in any way be affected or impeded by any review that will take place? I also refer in this regard to the search and rescue services and other emergency services provided by the Defence Forces both on shore and off.

Deputy Alan Shatter: I assure the Deputy that I am fully committed to ensuring that the Defence Forces are able to meet their various obligations, that they will retain the capability for doing so and that they will have available to them the assets they require. The Deputy might be interested to know that some targeted recruitment and promotion is still being carried out within the Permanent Defence Force in the context of the agreed employment control framework and subject to the resources available. To date in 2011 some 261 personnel have been recruited for general service. This very much takes cognisance of the need to ensure that we have available to us the critical personnel necessary to ensure that the Defence Forces can do what is required of them, both domestically and overseas, and that they are ready to be of assistance to the civil authorities in dealing with any emergency that may arise, be it climatic in nature or of some other type which we may not yet be in a position to anticipate fully.

Deputy Bernard J. Durkan: I cannot allow this occasion to pass without asking the Minister to provide an assurance that the ceremonial role undertaken by the Defence Forces, which was highlighted during the past week, will not in any way be impeded in the future. I raise this matter in light of the pride felt by people throughout the country regarding the way in which members of the Defence Forces deported themselves in recent days.

Deputy Alan Shatter: As the Deputy may have heard me state earlier, I am of the view that the Defence Forces were outstanding during the past week. The ceremonial role they undertook in recent days in respect of both the dignity of the ceremonies that took place and the manner in which this country presented itself to the outside world was of substantial importance. I wish to provide the Deputy with every assurance that there is no issue of any description with regard to the Defence Forces continuing to play such a role. However, I do not wish to underestimate, in any shape or form, the important role the Defence Forces played in aid of the civil power, namely, the Garda, in dealing with security issues and in maintaining security at essential locations in advance of the arrival of both Queen Elizabeth II and President Obama. I commend the Defence Forces on the action they took in respect of issues which arose during Queen's visit, in particular, when their members were called out on a variety of occasions to deal with hoax devices placed at different locations, hoax telephone calls and a small number of devices which may have posed a danger to the public. Defence Forces personnel dealt with the latter with extraordinary professionalism. For this, they deserve our congratulations.

Defence Forces Deployment

47. **Deputy Brian Stanley** asked the Minister for Defence if he will report on the deployment of members of the Defence Forces to assist fire crews dealing with gorse fires in parts of counties Donegal, Galway and Mayo at the start of May; and if he will make a statement on the matter. [12051/11]

48. **Deputy Dara Calleary** asked the Minister for Defence the number of Defence Forces personnel involved in fighting the bush fires across the country; the cost to the Exchequer of same; and his plans to recoup the costs from Coillte. [12070/11]

Deputy Alan Shatter: I propose to take Questions Nos. 47 and 48 together.

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Following a request from the local authorities early on Sunday, 1 May, the Defence Forces deployed Army and Air Corps assets to assist fire-fighting efforts in counties Donegal and Mayo. This deployment involved the use of troops, aircraft and specialist fire-fighting equipment. From early on Sunday morning, an Air Corps helicopter, with a fire safety qualified Army engineer on board, was in operation over Donegal and north-west Mayo providing advice and information to the fire-fighting effort on the ground, based on an assessment of the fires from the air. Two further helicopters, both fitted with specialist under-slung bambi buckets, were subsequently deployed to drop water on fires in the Dungloe area of County Donegal. These buckets have a capacity of 1,200 litres each.

On the morning of Sunday, 1 May, 100 troops were recalled to barracks and placed on stand-by at Finner and Galway. Deployment of these troops was at the discretion of the local chief fire officer in each county. As matters transpired, some 25 troops were deployed to fight fires in Mayo and Donegal. These troops remained there for as long as it was safe to do so — until approximately 9 p.m. that night. A decision was taken at that stage by the chief fire officer in Mayo to stand down the troops deployed in that county as the fires came under control. On the next day, Bank Holiday Monday, the three helicopters, two with bambi buckets and one operating in a surveillance role, continued to operate in County Donegal. In total, over 100,000 litres of water were dropped on affected areas that day whilst 85 troops were deployed on the ground — 50 from 5.30 a.m. Troops remained there until approximately 9 p.m. that night.

Defence Forces fire fighting assistance continued in County Donegal the next day where 42 troops were deployed from very early that morning, 3 May. A further 40 troops were on stand-by to replace these troops. The three helicopters were also in operation on that day. All fires were deemed by the local authority to be under control that evening. A number of troops remained on stand-by on 4 May and the Defence Forces involvement was formally wound down that afternoon.

Over the course of the four days, a total of 500,400 litres of water were dropped by Air Corps helicopters. In addition, the Defence Forces committed a total of 264 Army and Air Corps personnel of which 179 personnel were deployed with the remaining 85 being committed in support of the operation.

As the Defence Forces were deployed in an aid-to-the-civil-authority role, following requests from the respective local authority fire officers, the question of whether any individual land-owners should be charged is a matter for the local authorities. The direct or additional costs arising from this deployment by the Defence Forces are estimated to be just over €100,000. The largest proportion of this arises from the direct costs associated with some 98 hours of flying time that were accumulated over the four days.

Deputy Jonathan O'Brien: When local authorities implement emergency plans, they normally carry out a review afterwards to examine how well they worked. The Defence Forces will feed into such a review in this case. Will the Defence Forces carry out an internal review on its response in this instance? Will it ascertain whether suitable resources were available or identify improvements that could be made? Were any Defence Forces personnel injured in these incidents?

Deputy Alan Shatter: To the best of my knowledge, no member of the Defence Forces was injured in the incidents in question. After every operation of every description, the Defence Forces assesses how it went. I was in immediate contact with the Department to ensure that as soon as a local authority sought help in fighting gorse fires that it would be available. The Defence Forces had personnel on stand-by and within ten minutes of a request being formally

made by a local authority, the Defence Forces were in a position to commence providing assistance.

Like the work done for last week's State visit, the Defence Forces deserve our congratulations for the work they did in aid of the local authorities. The gorse fires were a difficult few days for the local authorities and the civil fire-fighters on the ground. There was a great deal of concern about surrounding these fires and the possible dangers they posed. The Defence Forces, again, conducted themselves very well. I have heard no valid criticism of any nature of the action they took. The Chief of Staff and other members of the Defence Forces who organised the response to assist local authorities deserve the congratulations of the House.

Deputy Dara Calleary: I too acknowledge the role played by the Defence Forces, particularly in my county, in dealing with the serious problem of gorse fires. However, the costs of the operations to the Defence Forces came to €100,000. It will be a far greater cost to local authorities. I pay tribute to the fire services in the counties affected who gave up weeks to fight the fires.

Our timber industry is lucrative. Given that there is a suspicion that some of these fires were started deliberately, has the Minister had any discussions with the Minister for the Environment, Heritage and Local Government, Deputy Phil Hogan, on recouping some of these costs and to send out the signal that we will not stand for such actions?

Deputy Alan Shatter: The Defence Forces came in aid of the local authorities. It is a matter for them if they decide to charge the local authorities for the services provided. Much of the costings I gave earlier would derive from use of the helicopters. It is estimated by Coillte, that of the 9,000 properties owned by it in the State which range in size from one hectare to 200,000 hectares, an average of 200,000 hectares are lost to fire each year. In the context of climatic conditions and that these fires occurred during what had been an unusually dry season, I am not sure what steps, if any, can be taken to prevent outbreaks of fires. In so far as there is a possibility that anyone can be identified as having started these fires, that is a matter for An Garda Síochána. It is hoped such events will not be repeated. I am sure the Army and the Air Corps will learn lessons, if there are any, from these events. It is a matter for Coillte, which does not fall within my Departments' responsibility, to take what fire preventive steps it deems appropriate. It has, however, been discovered internationally that in certain climatic conditions, such fires occur.

Deputy Dara Calleary: Is it correct that 200,000 hectares of Coillte properties are affected by fires every year?

Deputy Alan Shatter: I am told, on average, 200,000 hectares are lost to fire each year. It seems a large amount but that is the information with which I have been supplied. If that information is incorrect, I will communicate with the Deputy.

Deputy Dara Calleary: The Minister should bring that information to the attention of the relevant Minister.

Proposed Legislation

49. **Deputy Billy Kelleher** asked the Minister for Defence his priorities, including legislative priorities for 2011 to 2012. [12072/11]

Deputy Alan Shatter: My priority is firmly focused on maintaining the operational effectiveness of the Defence Forces, to the greatest extent possible, within a reduced resource envelope. In this context, and in line with the programme for Government, the Department is actively

[Deputy Alan Shatter.]

engaged in the comprehensive review of expenditure, which was recently initiated by Government. This review of expenditure will assist the Government in consolidating the public finances by identifying options for expenditure savings. The outcome of the review will inform the priorities to be followed.

As regards legislative priorities, in the past few days I have received the Government's approval to the priority drafting by the Parliamentary Counsel of a Defence (Amendment) Bill 2011. I will allow for it to be published and, I hope with the co-operation of the House, enacted before the summer recess. This Bill proposes to amend several existing provisions of the Defence Acts 1954 to 2007 regrading the military justice system as it affects the Military Judge and the Director of Military Prosecutions. It will provide for the expansion of the eligibility criteria and selection for the posts of Military Judge and Director of Military Prosecutions in the Permanent Defence Force. It will also provide for an alternative judge to perform all and or any of the functions of a military judge where the Military Judge is unavailable for any reason and other related matters. The legislation will deal with the various lacunae in this aspect of the military justice system.

In addition, the Department is developing proposals for the preparation of a separate Bill dealing with amendments to the Defence Acts concerning military discipline. While the Department has been engaged in consultations with the Office of the Parliamentary Counsel, it is not possible at this stage to confirm whether the Bill will be ready for publication this year.

Deputy Dara Calleary: Does the Minister anticipate a need for legislative changes arising from extra demands that may be placed on the Defence Forces in the context of commitments to the EU or UN?

Deputy Alan Shatter: I do not anticipate a need for legislation in that context.

Departmental Expenditure

50. **Deputy Mary Lou McDonald** asked the Minister for Defence if he will report on the cost borne by him and by the Irish Defence Forces in preparations for the visit of Queen Elizabeth II; and if he will make a statement on the matter. [12050/11]

Deputy Alan Shatter: Based on the latest estimates available, the cost of the Defence Forces involvement in the visit of Queen Elizabeth II is likely to amount to approximately €1.1 million. I also indicated earlier the estimated cost incurred in regard to the visit by President Obama.

Deputy Jonathan O'Brien: The Minister stated earlier that it is unlikely there will be a need for a Supplementary Estimate. If that is the case, from where in the Defence budget is it proposed to take the €1.1 million?

Deputy Alan Shatter: There is always some element within the Defence budget to anticipate visits of foreign dignitaries. While I do not currently anticipate a need for a Supplementary Estimate in the context of Queen's visit, the matter has to be reviewed by my Department. In the context of my involvement in planning for the visit, it was understood, based on the estimate provided to the Department, that it was unlikely there would be a need for a Supplementary Estimate.

The Department of Defence operates with substantial financial efficiency and remains carefully within its Estimate. The Department continually reviews where it stands financially in terms of living within the financial envelope made available to it for 2011. I can say no more than that at this time I do not anticipate there will be a need for a Supplementary Estimate. I

do not anticipate that the engagement of the Defence Forces and the cost of the visit will be in any way inimical to or prevent the Defence Forces from meeting of its objectives during the course of this year. Should there be a change, I will bring the matter to the attention of the House.

UN Resolution

51. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Defence the discussions he has had with other Government Departments on the development of a national action plan for UN Security Council Resolution 1325; and if he will make a statement on the matter. [12054/11]

Deputy Alan Shatter: United Nations Security Council Resolution, UNSCR 1325, on women, peace and security, was adopted in October 2000 and emphasises the distinct position of women in conflicts and in peace building. In the lead up to the 10th anniversary of this UN resolution in 2010, many countries, including Ireland, undertook to develop a national action plan on the implementation of UNSCR 1325. The Department of Foreign Affairs has the lead role in the development of Ireland's national action plan on implementation of UNSCR 1325.

In developing the national action plan, a wide-ranging consultation process took place involving the Departments of Foreign Affairs, Defence, Justice and Equality, the Defence Forces, An Garda Síochána and representatives of civil society and academia. Participation in this forum afforded representatives from the Department and the Defence Forces an opportunity to discuss with officials from other Departments and representatives from civil society and academia, issues pertaining to the development of the national action plan, in particular in so far as they related to the Defence Forces.

The discussions focused primarily on facilitation and completion of a comprehensive audit of Government activity in the areas covered by UNSCR 1325, the identification of international best practice in this area and implementation of an effective post implementation monitoring and evaluation framework. The final phase of consultation ended on 18 February 2011 with the production of a draft national action plan. Officials from the Department of Foreign Affairs are currently collating observations received from other Departments on the draft national action plan. When this process is completed and all parties concerned are in agreement, the intention is to submit the final version of the national action plan to implement UNSCR 1325 to Government for approval.

As stated by my colleague, the Minister for Foreign Affairs, a monitoring group will be established to oversee progress on the implementation of Ireland's national action plan. The chair of the group will be independent. Once the Oireachtas committees have been established, there will be an opportunity for Members to participate in evaluation of the plan. I expect that evaluation will fall to be dealt with by the Oireachtas Joint Committee on Justice and Defence, which is to be established shortly.

Deputy Jonathan O'Brien: Does the Minister know when the draft plan will be presented?

Deputy Alan Shatter: I expect it will be presented relatively shortly. I do not want to give a specific date because issues arising from observations received must first be addressed.

Deputy Jonathan O'Brien: Does the Minister expect it will be presented before the end of this year?

Deputy Alan Shatter: I certainly expect it to be presented before the end of this year.

Ministerial Air Transport

52. **Deputy Joe Higgins** asked the Minister for Defence the projected costs of using the Government jet for 2011. [10395/11]

Deputy Alan Shatter: I thought Deputy Higgins would be flying in for this question.

Deputy Bernard J. Durkan: He is in a flutter.

Deputy Alan Shatter: The Icelandic ash cloud has inhibited the Deputy's arrival in the Chamber.

Deputy Dara Calleary: We would hardly be that lucky.

Deputy Alan Shatter: Perhaps he is about to take off and will be in the House before I conclude my reply.

The ministerial air transport service is primarily provided by Gulfstream IV and Learjet 45 aircraft, which were specifically acquired for that purpose. The Learjet has the capacity to carry seven passengers and is tasked with short and medium haul missions to the UK and Europe. The Gulfstream IV, has the capacity to carry 14 passengers and can be tasked with long haul missions to destinations such as the United States, Africa and the Middle East, as well as to European destinations. It is the only aircraft flown by the Air Corps which has a long haul capability.

The Department follows the normal practice in the aviation business of costing aircraft by reference to the cost per flying hour under two headings: the direct cost, which includes costs which are additional to those associated with having the aircraft and which only arise when the aircraft is flown, including maintenance, fuel, support services such as catering costs, cleaning services and airport handling charges and, the total cost which is the direct cost plus the costs associated with having the aircraft and includes depreciation and personnel costs, which are incurred in any case in maintaining personnel.

The average hourly costs associated with Air Corps aircraft used in the provision of the ministerial air transport service have recently been reviewed by my Department and revised costs are now available. The average direct cost per hour for the Gulfstream is €3,270 and for the Learjet, €1,940. The average total cost per hour for the Gulfstream is €3,790 and for the Learjet is €4,200. There has been a substantial decrease in average hourly costs for the Gulfstream as the depreciation cost is no longer included in the cost of calculation owing to the life of the aircraft. The aircraft is now 20 years old and it is no longer appropriate that depreciation is factored into the overall costs.

The Gulfstream and Learjet have completed 28 and 27 flying hours respectively during the first quarter of 2011. As details of the hours that will be flown by each aircraft for the remainder of the year are as yet unknown, it is not possible at this stage to project the full cost of using the Government jets during 2011.

I am disappointed that Deputy Higgins never landed. No doubt he may prove to be a late arrival.

An Leas-Cheann Comhairle: That is Deputy Durkan's gain.

Deputy Alan Shatter: It is, which is the reason Deputy Durkan is smiling.

Defence Forces Training

53. **Deputy Bernard J. Durkan** asked the Minister for Defence the degree to which military

training and equipment is kept in pace with modern and international standards having particular regard to the need for compatibility during overseas missions for the EU or UN; and if he will make a statement on the matter. [12074/11]

Deputy Alan Shatter: I am advised that the military training techniques are up to date in all respects. Defence Forces training plans are structured to provide the capabilities needed to execute the roles assigned to them by Government. The challenges of preparing military units for participation in international peace support operations constitute the major dimension of Defence Forces collective training. The primary focus of this training is the attainment of a capability for military interoperability in order to conduct peace support operations to international standards. Training standards in the Defence Forces are constantly benchmarked against best international practice and Defence Forces personnel have full access to the best international training standards available.

Defence Forces personnel have the most modern and effective range of equipment, including logistical equipment, to carry out their day-to-day roles at home and overseas. The priority in the coming years will be on maintaining the capability of the Defence Forces to deliver effective services across all of the roles assigned by Government.

Deputy Bernard J. Durkan: Can the Minister confirm the degree to which the military equipment of our Defence Forces can interface with that used by other defence forces in the course of EU and UN operations? Given the necessity to ensure the safety of our Defence Forces while serving abroad we must make the maximum effort to obtain modern technology in equipping our forces.

Deputy Alan Shatter: Interoperability between our Defence Forces and others with whom we engage in peacekeeping operations is of considerable importance in our UN operations and in the role we play in the European Union as part of a battle group and in dealing with issues relating to Partnership for Peace. That is a significant focus within the Defence Forces in the purchase of equipment and it will continue to be so. When we are engaged in peacekeeping missions with other partners there must be the fullest available co-ordination between our Defence Forces and others with whom we work, in peacekeeping and peace enforcement missions.

Deputy Finian McGrath: I commend our forces for the excellent work they do abroad. However, recently there may have been a move within the European Union and the United Nations away from peacekeeping and humanitarian missions towards more aggressive policies, about which I have major concerns. Is there a change in direction?

Deputy Alan Shatter: I am unaware of the UN or our Defence Forces engaging in aggressive missions of any description. The primary focus is peacekeeping, peace enforcement, humanitarian intervention and conflict prevention. These are the central focus of our approach in the international context.

As the Deputy will know, we will shortly deploy 440 of our troops to southern Lebanon as part of a UNIFIL mission, which is a tradition within our Defence Forces, to contribute to peacekeeping in that area. We will go there on foot of a long-standing UN mission, in which we have previously participated, with a view to ensuring that conflict does not break out in those areas and that peace is maintained in the interests of the local population.

Army Barracks

54. **Deputy Robert Troy** asked the Minister for Defence the position regarding the barracks in Mullingar, County Westmeath; and if he will make a statement on the matter. [12093/11]

Deputy Alan Shatter: Various commissions, reports and studies back to the 1990s identified barrack closure as a fundamental requirement towards improving military effectiveness and efficiency. The dispersal of Defence Forces personnel over an extended number of locations is a major impediment to essential collective training and the consolidation process is designed to facilitate higher training standards, while freeing up under-utilised resources and personnel for operational duties. In addition, the funding realised from the disposal of surplus barracks and properties provides some of the resources required for infrastructure, training-area development and equipment procurement.

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. In that context the dispersal of personnel over an extended number of locations is a major impediment to effectiveness and also imposes increased and unnecessary overheads on the Defence Forces in terms of barrack management, administration, maintenance and security.

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.

While no decision has been made on the future of any military installation I cannot give a commitment that there will not be further programmes of barrack consolidation.

Deputy Robert Troy: I invite the Minister to visit Columb Barracks in Mullingar to see at first hand the important work done there. The barracks is vitally important in the region and to the country. It is used for training overseas contingents and was used prior to the current mission to the Lebanon.

I am disappointed that the Minister cannot give a commitment with regard to the future of the barracks and to learn that one of his key objectives is further rationalisation of barracks throughout the country. Mullingar barracks is of vital importance to our region, employing more than 200 personnel and 20 highly skilled staff. The income it generates in the region amounts to €20 million.

The people of Mullingar will fight tooth and nail against any attempt to downgrade or close the Mullingar barracks. I could quote the Minister's colleague at Cabinet, Deputy Willie Penrose, who made a stinging attack during the last administration when closure of the barracks was contemplated, but it was not closed. We will fight and the people of Mullingar will not allow any closure of Columb Barracks in Mullingar.

Deputy Timmy Dooley: Well done.

Deputy Alan Shatter: I am sure it will not come as a shock or surprise to the Deputy to discover that my two immediate predecessors in the Department of Defence, who represented Fianna Fáil in Government, made similar statements to mine in reply to Dáil questions, which is that in the context of the ongoing review and workings of the Defence Forces no absolute commitment can be given of any nature or that change, at some stage, will not occur.

Deputy Timmy Dooley: Deputy Penrose was not sitting at the Cabinet table then.

Deputy Alan Shatter: I take with a grain of salt Deputy Troy's stated outrage at the suggestion that——

Deputy Timmy Dooley: It was Deputy Penrose who was outraged. Does the Minister take his Cabinet colleague's outrage with a grain of salt?

Deputy Dara Calleary: The Minister specialises in outrage himself.

Deputy Alan Shatter: Deputy Dooley is very welcome back. I did not notice him in the Chamber five minutes ago. He is very welcome to join us.

Deputy Timmy Dooley: Tá mé thar n-ais anois.

Deputy Dara Calleary: More cuts.

Deputy Alan Shatter: I do not believe, as Deputy Troy suggests, that the people of Mullingar will take up arms against the Government or against the Defence Forces——

Deputy Dara Calleary: Deputy Penrose might.

Deputy Alan Shatter: ——because the people of Mullingar fully respect our Defence Forces.

Deputy Timmy Dooley: We have no issue with the Defence Forces.

Deputy Alan Shatter: I agree with Deputy Troy that the Defence Forces in Mullingar and in every barracks throughout the country have played an outstanding role over many years. The general public saw how outstanding they are during the events of the past week, when they played a ceremonial and very important security role. They have played an outstanding role in peacekeeping and will continue to do so in the deployment that will shortly take place to the Lebanon.

I do not require a lecture from the Deputy with regard to the role played by the Defence Forces or to Defence Forces personnel in any barracks.

Deputy Timmy Dooley: Deputy Penrose might need an explanation.

Deputy Alan Shatter: I will not play political games with the Defence Forces or encourage any Deputy to seek some sort of political notoriety in his constituency——

Deputy Timmy Dooley: Hear who is talking.

Deputy Alan Shatter: ——by making a declaration of war on behalf of his constituents.

Deputy Timmy Dooley: The Minister's party won the general election on the basis of that carry-on. How times change.

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 Jim Daly — the eligibility criteria of applicants for the position of supervisors in the new Tús programme; (2) Deputies Billy Kelleher and Caoimhghín Ó Caoláin — the funding of the Health Service Executive in respect of the nursing home support scheme for 2011; (3) Deputy Brendan Smith — the need to implement measures to reduce the cost of school text books prior to the 2011-12 school year; (4) Deputy Martin Ferris — the refusal to pay a State contributory pension to persons who have outstanding tax bills; (5) Deputy Robert Troy — the need to provide additional funding in respect of Multyfarnham and Milltownpass community centres, County Westmeath; (6) Deputy Gerald Nash — the need to continue to support, resource and recognise the contribution of the arts to society and the economy; (7) Deputy Peter Fitzpatrick — the problem of fuel laundering in the Border counties; (8) Deputy Seán Kyne — the lack of a mechanism to register the deaths of Irish citizens who die abroad;

[An Leas-Cheann Comhairle.]

(9) Deputies Éamon Ó Cuív and Noel Grealish — the need to provide OPEX funding to Galway Airport for the next three years; (10) Deputy Jerry Buttimer — the measures that will be put in place following the recent breach of security at Cork Airport; (11) Deputy Thomas P. Broughan — the need to ensure that the Kilbarrack Coast Community Programme, KCCP, remains in the Kilbarrack Parish Community Hall; (12) Deputy Robert Dowds — the need for two additional classrooms and an extension to the staff room at Saint Joseph's Boys' National School, Clondalkin; and (13) Deputy Timmy Dooley — the proposed closure of the Teagasc office at Scariff, County Clare.

The matters raised by Deputies Seán Kyne, Billy Kelleher and Caoimhghín Ó Caoláin and Jerry Buttimer have been selected for discussion.

Leaders' Questions.

Deputy Micheál Martin: It is now two weeks since the Taoiseach promised, in the House, to make available all background material concerning the €1.8 billion pension levy. Unlike practice for the last decade, the Minister for Finance announced a major revenue proposal without publishing any background papers. I challenged the Taoiseach on this and he said he would have no difficulty in providing any information. I immediately wrote to him seeking this information but none has been supplied to me.

This matters because this week the House will vote on this levy. Almost every day a new piece of information is emerging on its potential impact. At the weekend a report was published stating it could have a severe impact on defined benefit schemes. Last week the International Monetary Fund expressed its concerns about unintended consequences. There is huge concern, therefore, about the impact of the pension levy. The people have a right to examine the information on which the Government relied when it made this decision and decided to introduce the levy. The programme for Government committed to providing more information before budget votes, but, in fact, the Government is providing less. Will the Taoiseach tell us in a straightforward way whether the Government carried out a full assessment of the likely impact of the levy and whether it has considered the analysis which suggests it will reduce pensions provision by far more than the €1.8 billion suggested?

The Taoiseach: The pensions industry proposed that a pension levy of 0.5% should be introduced as against a reduction in tax relief. The Government decided on a levy of 0.6% on the pensions industry which forms a major part of the jobs initiative announced within the constraints of the IMF-EU deal to stimulate a measure of confidence and growth in the indigenous economy. I am not sure what information the Deputy is seeking or whether he has a list of specific questions he wants answered in respect of elements of the pensions industry. I will try to supply the detailed information if he sends me a list of questions.

Budget 2011 increased the annual notional distribution from 3% to 5%, which means that in respect of, for example, approved retirement funds, ARFs, where a pensioner takes nothing from an ARF, he or she ends up paying income tax and the universal social charge on 5% of the capital value. This means that at least €2,400 must be paid in tax on a sum of €100,000 in an ARF. By comparison, the levy being applied to private pension funds is only 0.6% and is a temporary change, unlike the position on ARFs, as the Minister for Finance made perfectly clear in his announcement on the jobs initiative.

The pensions industry has projected forward that in the full lifetime of a pension fund there would be an impact in respect of a levy such as this. However, this levy will be in place for a four year period, is temporary in nature and being used following an initiative taken by the pensions industry in order that, instead of reducing tax relief, a charge or levy will be applied

in this way. Obviously, as Deputy Shane Ross pointed out, there are charges in the management of the pension funds that could be reduced as a consequence of the introduction of the levy, which would have a significant impact. I have undertaken, arising from Deputy Ross' question two weeks ago, to have the Minister for Finance follow up on his constructive comments.

Deputy Micheál Martin: The Taoiseach did not answer the question I asked. I am seeking information on the advice the Minister received, including internally in the Department of Finance, as well as from the Pensions Board and a variety of other sources, normally supplied in making a major decision of this kind. All of the background material provided in the consideration of the issue leading up to the decision should be published.

Deputy Pat Rabbitte: The background is the bank guarantee.

Deputy Micheál Martin: The net effect of the jobs stimulus will be, as the Taoiseach knows, the deflation of the economy by approximately €200 million, the difference between the revenue that will be raised by the levy and the smaller amount provided in tax reductions. Unless the Government publishes the full details of the cost-benefit analysis carried out before the announcement of the jobs initiative, serious questions will be asked about its impact.

Deputy Jerry Buttimer: Like the Deputy's party did.

Deputy Emmet Stagg: They were good at it when they were in government.

Deputy Micheál Martin: We can all now see what the primary purpose of this initiative was, namely, public relations. Unfortunately, however, this public relations exercise can have a significant and lasting negative impact. That is what I am trying to get at. We are entitled to have the information, particularly on how it will undermine private pensions provision into the future.

Deputy Jerry Buttimer: After 13 years of Fianna Fáil rule.

Deputy Micheál Martin: Will the Taoiseach accept——

An Ceann Comhairle: Can we have silence, please?

Deputy Micheál Martin: On a final point, will the Taoiseach accept that there is a wide range of genuine domestic and international concerns and criticisms among commentators who are raising questions about the levy and that it should not be forced through the House until a proper review of its impact has been prepared and published for Members?

Deputy Pat Rabbitte: When did the Deputy first hear about the cost-benefit analysis?

Deputy Micheál Martin: When I see the Taoiseach acting as if he wants to be Taoiseach.

The Taoiseach: I assume that as leader of his party and one who might still want to be on this side of the House, had he thought of it himself or been approached by the pensions industry, the Deputy would certainly have considered it. Let us think of the circumstances in which he left the country.

Deputy Micheál Martin: I am asking the question to seek information on the advice provided. The Taoiseach should answer that question.

The Taoiseach: The Deputy is talking about it being a public relations exercise. I made it perfectly clear——

Deputy Micheál Martin: This was a decision taken by the Taoiseach and continued by him.

Deputy Timmy Dooley: The rhetoric is over now that he has left College Green.

An Ceann Comhairle: Will the Deputies, please, allow the Taoiseach to reply?

The Taoiseach: We stand by the decision made. It was made in the interests of creating employment, growing the economy and providing a sense of confidence in the indigenous economy at a time when there are over 440,000 on the live register. If Deputy Micheál Martin expects us to sit by and do nothing, to sit idly by——

Deputy Micheál Martin: That is not——

The Taoiseach: If he wants information on the detail of what the Minister for Finance considered, he should table a question to him or raise the matter on the Adjournment.

Deputy Micheál Martin: Come off it. The Taoiseach said he would supply the detail of the advice provided.

Deputy Timmy Dooley: The Taoiseach said things had changed and that there would be transparency.

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

The Taoiseach: Surely, the Deputy does not expect me to have at my disposal here the detailed information made available.

Deputy Micheál Martin: I do. There was a memorandum. I expect him to provide that advice and publish it.

The Taoiseach: If he wants that detail, the Deputy should ask the Minister for Finance.

Deputy Barry Cowen: Yes, we can.

Deputy Micheál Martin: I am asking the Taoiseach, the head of the Government, the man who talks all the time about transparency.

An Ceann Comhairle: Will the Deputy cool down?

The Taoiseach: I am the head of the Government. If Deputy Micheál Martin wishes, he can ask the Minister for Finance who will answer the question.

An Ceann Comhairle: I call Deputy Gerry Adams.

Deputy Micheál Martin: The programme for Government spoke about transparency.

A Deputy: It is over.

Deputy Gerry Adams: Last week older people and their families were alarmed when it was announced that funding for the fair deal nursing home care scheme was running out. It was reported that the allocation for 2011 was exhausted and that the HSE had suspended the approval of——

Deputy Pat Rabbitte: Deputy Micheál Martin's party spent it before the last election.

Deputy Micheál Martin: We did not.

Deputy Pat Rabbitte: It did.

Deputy Timmy Dooley: Another deal with the Minister, Deputy Pat Rabbitte's friends in the union.

An Ceann Comhairle: Can we have silence, please, for Deputy Gerry Adams?

Deputy Gerry Adams: Tá a lán daoine iontach buartha faoin ábhar seo.

Deputy Alan Shatter: This is Fianna Fáil's funny money.

Deputy Gerry Adams: The Minister for Health and Children has stated new applications will be dealt with, which is to be welcomed, and that the problem was that the HSE had used the €100 million for other purposes. For its part, the HSE has stated the total budget available to it for providing long-term residential care has always been and will continue to be used exclusively for the care of older people resident in nursing homes. It is seeking clarity on the Minister's statement and there is a report that it has not begun to process new applications. There is, therefore, a contradictory and confused picture. Mar a dúirt mé lenár gcara, tá seo ag cur a lán brú ar dhaoine agus tá a lán acu iontach buartha faoi seo. Tá gá le freagraí soiléire ag na daoine sin. Does the Taoiseach agree that it is extremely worrying that €100 million could be used for purposes for which it had not been allocated? Just as important, if the money is spent, how will it be replaced and does this mean there will be cutbacks in other areas of the health care system?

The Taoiseach: The Minister for Health and Children is obviously concerned about this matter and how it could have arisen so early in the year. My understanding is that €100 million of the €1 billion allocated for the fair deal scheme was spent on other items. The Minister has commissioned an inquiry in order to determine within two weeks what exactly happened. All the money is for the care of elderly people but it must come from different subheads. The Minister is entitled to find out what happened in the first instance, report to the House and indicate how he intends to continue funding for this essential deal.

Deputy Gerry Adams: That is fair enough and the Minister should be given time to do that. However, Age Action Ireland stated it was inundated with distraught people. Only last week we extolled the virtue of a society that looks after elderly people and allows them to make a contribution.

The Minister also stated, and I agree with him, that many people would go home from hospital rather than go into care if appropriate home care packages were available. Are they available? My understanding is they are not and, therefore, this most vulnerable section of our society, when ill and infirm, is being put through greater difficulties than are necessary.

The Taoiseach: By the end of March this year 22,600 people were in receipt of long-term residential care support, in public, private and voluntary institutions. More than 11,000 were in the nursing home support scheme, the fair deal, which is the subject of the question. As the Minister pointed out, applications for approval under the fair deal scheme will continue to be processed and accepted but this is a budget cap scheme and the Minister has a responsibility to find out where the money has gone and for what reasons decisions were taken to divert it from the particular focus of attention and care for elderly people. The Minister also seeks to ensure that only agreed costs are met from the long-term residential facility. I expect this will be the subject of further questioning in the House.

In answer to the Deputy, the commitment in the programme for Government to review the fair deal will be carried out. The Cabinet is anxious to have the Minister conclude his two-

[The Taoiseach.]

week analysis of the situation. I understand the concerns elderly people may have but this money is all for the care of the elderly and comes from different subheads. The Minister has a duty to find out what happened and deal with the situation by allocating moneys from different subheads. He will report to the House accordingly.

Deputy Shane Ross: In the light of the immensely successful visits to this country by President Obama and the Queen of England and the re-establishment of very close links between friends, for which welcome and successful visits I congratulate the Taoiseach and the Government, I wonder if the Taoiseach might approach Europe with a greater degree of self-confidence, a quality that has not been evident in negotiations with Europe since the Government came to power. I ask this specifically because I read the statement today by the Minister of State, Deputy Lucinda Creighton, that the Government would back a European, specifically Ms Christine Lagarde, for the top position, now vacant, in the IMF.

I wonder why we would be inclined to do that. As the Taoiseach knows, Ms Christine Lagarde has taken a position that Ireland's corporate tax should rise and that we should not get a reduction in our interest rate. If we support the French Finance Minister, who has not been helpful, rather has been unhelpful in regard to our position with the IMF, we will support the movement into a position of power in a benign lender, the IMF, of a person who is aggressive against Ireland — as are most of the European powers who protect European banks. Our agenda and that of Europe on this monetary issue are at odds. If we support someone who is so hawkish against us we will corner ourselves.

Would the Taoiseach consider opposing the nomination of the French Finance Minister for the head position in the IMF, specifically because of her record, which is so hostile to Ireland?

The Taoiseach: The Government has not made a decision to support any person for the vacant position in the IMF. This matter has not been concluded or yet decided. It is an important, global position and the IMF has had an understanding attitude in regard to the challenge this country faces and has been forthright about it. Its spokesman in respect of the bailout given to Ireland, Mr. Chopra, has been, as one would say in Irish, “flaitiúil” about his language in this regard.

The decision on whether the appointee to the position of head of the IMF will come from Europe or elsewhere has not been made yet. It is fair to say that the French Minister for Finance articulates whatever the French Government's position may be. That is not to say that were she to be appointed to the IMF she would continue French Government policy. IMF policy may be very different to that of individual governments. It is a little early, therefore, to say who is in line for the position although the Minister, Ms Lagarde, has been mentioned as a strong runner. However, no decision has yet been made in so far as other blocs that will vote or give approval in this respect are still unclear.

Deputy Shane Ross: I understand the Taoiseach's reply. Perhaps the Minister will change her mind when she changes her job. People often do that.

Deputy Bernard J. Durkan: They do it over there too.

Deputy Timmy Dooley: Mr. Rabbitte and Mr. Bruton.

Deputy Paschal Donohoe: Are you interested, Shane?

Deputy Peter Mathews: What have you in mind, Shane?

Deputy Shane Ross: Before he makes a decision, will the Taoiseach ask Madame Lagarde what her position is, and will be, on corporate tax and the reduction of our interest rate before he decides what the position of the Government will be on her candidature?

Deputy Timmy Dooley: Send her an e-mail.

The Taoiseach: The Deputy is right about people changing their views when they change jobs. I knew this would come around some time. I recall that, on 28 March 2004, Deputy Ross stated that Michael Fingleton's Irish Nationwide published what he termed a "cracking set" of figures.

(Interruptions).

A Deputy: Seven years.

A Deputy: As somebody said, you liked yourself since.

The Taoiseach: If he recalls, he followed that by saying, "All Fingleton's figures are spectacular. Pre-tax profits are up 20% and gross lending rose by 72%". The Deputy followed that with, "I should have bought into Nationwide. Anyone who has a spare €20 grand might still have time to carpet bag". That is just a gentle reminder.

(Interruptions).

Deputy Alan Shatter: We will now get an apology.

The Taoiseach: In any event, as Minister for Finance, Deputy Noonan is in constant contact and has negotiating rights derived from EU leaders. He is in contact on a regular basis with the Minister, Ms Christine Lagarde. In the event she becomes the nominee or the person appointed to the IMF, her views in respect of Ireland's position on corporate tax, which, by the way, is not changing, will be discussed between her and the Minister for Finance.

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 several notices under Standing Order 32. I will call on Deputies in the order in which the notices were submitted. Since Deputy Michael Healy Rae is not here I call Deputy Caoimhghín Ó Caoláin.

Deputy Micheál Martin: Perhaps someone submitted it on his behalf.

Deputy Caoimhghín Ó Caoláin: No, they did not. The matter concerns the fair deal scheme. I requested it but I acknowledge the matter on the Adjournment has been provided to me and, therefore, I do not believe it is appropriate to press it.

An Ceann Comhairle: Thank you Deputy. I call Deputy Gerry Adams.

Deputy Gerry Adams: I seek the adjournment of the Dáil under Standing Order 32 to debate the following matter of urgent public importance, namely, the decision by the Minister for Transport, Tourism and Sport to amalgamate Dundalk Port Company with the Dublin Port Company, the implications for the future of the port and whether this could include the development of the port as a social amenity.

An Ceann Comhairle: Having considered the matter raised, I do not consider it to be in order under Standing Order 32. I am sure this comes as a bit of a shock to the Deputy but, unfortunately, that is it.

Order of Business

The Taoiseach: It is proposed to take No. 3, Finance (No. 2) Bill 2011 Order for Second Stage and Second Stage. It is also proposed to take Private Members' business, which shall be No. 22, motion re Agriculture.

An Ceann Comhairle: There are no proposals to be put to the House. Are there any queries in respect of legislation?

Deputy Micheál Martin: Item No. 20 on the Order Paper, the Twenty-Ninth Amendment of the Constitution (No. 2) Bill 2011 Second Stage, relates to a constitutional amendment to prohibit and ban corporate donations to political parties. The Government voted down an earlier Bill which I introduced to the House, which was in line with all the recommendations of the Moriarty report and which was comprehensive in its remit. I call on the Taoiseach to give consideration to accepting this Bill into committee and to hold a genuine discussion on it. A referendum could be held on the same day as the presidential election if the Taoiseach were so disposed to accept it, given that it is the position of every political party to ban corporate donations outright. The Bill would achieve this and the Taoiseach should give constructive consideration to accepting the Bill in good spirit and to holding a detailed discussion about it.

The Taoiseach: Is the Deputy referring to corporate donations?

Deputy Micheál Martin: Yes, and to the constitutional amendment Bill in respect of political donations.

The Taoiseach: The heads of this Bill were cleared by Government.

Deputy Micheál Martin: I tabled the Bill and I call on the Taoiseach to accept it.

The Taoiseach: The heads of the Government Bill were cleared several weeks ago. The Minister, Deputy Hogan, is working to bring it in before the end of this session. He has given clarification from the Government to go ahead and deal with it.

Deputy Micheál Martin: That is a separate Bill. This is a constitutional amendment Bill.

The Taoiseach: On what?

Deputy Micheál Martin: To ban outright corporate donations.

Deputy Pat Rabbitte: It is a workaround.

Deputy Micheál Martin: By definition, the Minister, Deputy Hogan, cannot do that with the legislation because it would require a constitutional amendment, unless he intends to pursue that as well.

The Taoiseach: The Government has cleared the heads in respect of Deputy Hogan's Bill. This follows legal advice in respect of an outright ban on corporate donations.

Deputy Micheál Martin: Will the Taoiseach accept the Bill I have put forward? I call on the Taoiseach to give Government time to the constitutional amendment Bill I have put forward. It is No. 20 on the Order Paper. I call on the Taoiseach to give consideration to this Bill which would ban outright corporate donations. It goes a step further than the Bill Deputy Hogan is bringing forward.

The Taoiseach: I suggest the Deputy moves it in Private Members' time as is his right.

Deputy Micheál Martin: I am asking the Taoiseach to given consideration to it in Government time. Will the Taoiseach not do this?

An Ceann Comhairle: The answer is “no”.

Deputy Micheál Martin: Thank you, a Cheann Comhairle.

Deputy Finian McGrath: Will the Taoiseach indicate the position in respect of the health information Bill and the fair deal scheme and especially whether there is a need for a Supplementary Estimate or amending legislation to be introduced to alter the fair deal scheme in light of the current crisis and the €100 million shortfall? This is a major crisis for senior citizens.

An Ceann Comhairle: Is the Deputy aware this matter is on the Adjournment this evening?

Deputy Finian McGrath: Will the Taoiseach introduce a Supplementary Estimate or amend the legislation?

An Ceann Comhairle: Is a Supplementary Estimate due in respect of this matter?

The Taoiseach: No Supplementary Estimate is due. The health information Bill is expected to be published later this year.

A Deputy: Deputy McGrath is still a young lad.

An Ceann Comhairle: I remind people legislation must be promised before you can ask about it.

Deputy Gerald Nash: Will the Taoiseach inform the House when the Government intends to publish the Duffy Walsh report into the review of employment regulation orders and joint labour committees? Will the Taoiseach indicate whether the Government intends to invite trade union representatives, employers and relevant social partner bodies to discuss the details contained in the report? Will the Taoiseach indicate if legislation will be required to give effect to the measures to be agreed by the Government as a direct result of the Duffy Walsh review?

The Taoiseach: I can inform Deputy Nash that the Government gave approval this morning for the Minister to publish the report. The Minister has also given authorisation to follow the publication of the report with a discussion with the social partners in regard to the report and its implications.

Deputy Michael Colreavy: In the programme for Government, the Government undertook to ban the practice of “hello money” or introductory inducements from suppliers to retailers. Will the Taoiseach indicate when that legislation will come before us?

The Taoiseach: It is in the programme for Government but, to be honest, I do not expect it this session. As I explained to Deputy Martin recently, several timeline requirements arise from the IMF-EU deal which simply must be dealt with. When I have the full details of the implications of these I will come back to the House with the legislation that must go through. I do not believe that legislation will get through in this session.

Deputy Pádraig Mac Lochlainn: Does the Taoiseach intend to make room in the schedule for discussion on the Government’s strategy in respect of the next head of the IMF before and after any decision the Government takes on the matter?

The Taoiseach: It is not a matter for discussion yet. A vacancy exists and names are being mentioned for the replacement but it is not yet clear from which bloc he or she will come. When the position becomes clear we will allow for an opportunity to discuss it here.

Deputy Michael McGrath: This morning the Minister for Finance published the Central Bank and Credit Institutions (Resolution) (No. 2) Bill. When is it intended to introduce it in the House?

The Taoiseach: That will be taken in the next couple of weeks.

Deputy Denis Naughten: On 7 September 2000 the Government signed the protocol on the Convention on the Rights of the Child which deals with the sale of children, child prostitution and child pornography. However, it has not yet been ratified by the Government. When will ratification take place? I am aware the UN is keen to have it ratified by all member states and all signatories before 1 January next.

The Taoiseach: I cannot give the Deputy an accurate date but I will come back with more detailed information. It is an important subject.

Deputy Kevin Humphreys: I refer to future legislation, the comments of the Taoiseach to Deputy Ross on the Irish Nationwide Building Society and the enrichment of its senior management in the amount of more than €1 million which went into a pension scheme and was to be returned to the building society but which never happened. Is there proposed legislation to force this money to be returned to the taxpayer?

An Ceann Comhairle: I am afraid that is not in order under the Order of Business. I am sorry about that Deputy; it was a good try. Fair play to you.

Deputy Paschal Donohoe: The alarm caused by changes in the funding of the fair deal scheme shows again the need to recast the relationship between the Department of Health and Children and the HSE. Will the Taoiseach indicate whether the proposed legislation will be in place in the House before the summer recess?

The Taoiseach: No. The Minister for Health and Children has made arrangements for legislation to change the structure of the HSE. It is probable this will not be in before the summer recess. There is a lot of working going on surrounding the Department of Health and Children, as the policy arm of the Government in health, and the implementation of that policy by the HSE. The Deputy is aware of the longer-term evolution of a change strategy that will deliver a more effective health service for everyone.

Deputy Richard Boyd Barrett: Given the leaks at the end of last week about the JLCs and REAs, and the possible contents of the review, and the fact the review is hanging like the sword of Damocles over the heads of hundreds of thousands of workers in this country, can the Taoiseach tell us if the Government has formulated its response to the review, when we will have a chance to debate it or what legislation might come forward?

The Taoiseach: Obviously the microphone is not working on the opposite side of the House; this question has already been asked and dealt with. The Government gave approval to the Minister to publish the report today and the Deputy can read it in full. The Minister has been authorised to go to talk to the social partners about the contents of the Bill and issues they might raise beyond that. We will report back in due course.

Deputy Bernard J. Durkan: To be of assistance to the Opposition, under promised legislation, could I ask the Taoiseach to assist those seeking to invest wisely by rushing a Bill into the House to alleviate any fears that might exist on the Opposition benches — the collective investment schemes consolidation Bill, No. 54 on the Order Paper? It could be very useful.

The Taoiseach: This legislation is promised but I cannot say to Deputy Durkan that it will be rushed in. It will hasten slowly and it will probably be next year before it is debated in the House.

Deputy Éamon Ó Cuív: Will the Minister for Community, Equality and Gaeltacht Affairs be taking questions next Thursday?

An Ceann Comhairle: That is not in keeping with the Order of Business. The Deputy knows as well as I do that is out of order. He can ask his Leader to raise this on Leaders' Questions.

Deputy Éamon Ó Cuív: I will explain my point.

An Ceann Comhairle: I do not need an explanation. The Order of Business is about promised legislation. It is not Question Time.

Deputy Éamon Ó Cuív: It is also about the taking of business.

An Ceann Comhairle: It is about promised legislation.

Deputy Éamon Ó Cuív: The questions office says the Department is not taking questions on Gaeltacht affairs on Thursday and the questions are all being deferred until 15 June.

An Ceann Comhairle: If the Deputy has been told that, why is he asking a question?

Deputy Éamon Ó Cuív: The Ceann Comhairle should let me finish.

An Ceann Comhairle: Is the Deputy imparting information? This is the Order of Business.

Deputy Éamon Ó Cuív: I am explaining the dilemma that a Department is transferring functions and refusing to take questions that are, on the day, the responsibility of the Minister. That is wrong. This Government promised us it would be open and transparent and I cannot understand why questions put down for that Minister on that day are not being taken by the Minister on that day, but have been deferred for two weeks.

The Taoiseach: This is to do with the transfer of responsibilities from one Department to another. The Department the Deputy formerly headed, in a very energetic fashion, is being dismantled and its functions transferred to other Departments. The matter will be dealt with on the Order of Business tomorrow.

Deputy Éamon Ó Cuív: That change does not take place until 2 June. Until then, the Minister will still be Minister for Community, Equality and Gaeltacht Affairs. I want to know why the Minister is not taking questions on community, equality and Gaeltacht affairs on that day.

The Taoiseach: This matter will be dealt with on the Order of Business tomorrow, when the Deputy will have the opportunity to voice his opinion again.

Deputy Éamon Ó Cuív: I appreciate that. I like to get two bites of the cherry.

Deputy Pearse Doherty: Does the Government intend to publish a third finance Bill this year given the Finance (No. 2) Bill does not contain the measures promised in the programme

[Deputy Pearse Doherty.]

for Government and the legislative programme to deal with the taxation changes that are necessary as a result of the Civil Partnership Act 2010? Does the Government intend to amend the Finance (No. 2) Bill, Second Stage of which is being taken later today, or to introduce a third finance Bill to give effect to the changes caused by that Act last year?

The Taoiseach: The Minister for Finance has done an extensive amount of work on the issues surrounding civil partnership and there will be a third finance Bill to deal with it. It will be in the House before the summer.

Deputy Pearse Doherty: The legislative programme clearly states that the Finance (No. 2) Bill would contain those measures. Why has it been changed? The programme was only published a number of weeks ago so why is there a need for a third finance Bill?

The Taoiseach: It was intended the civil partnership element would be covered by the Finance (No. 2) Bill, but then the decision was made to proceed with two separate Bills. There will be a third finance Bill to cover the civil partnership element. The Minister expects to introduce it before the summer.

Finance (No. 2) Bill 2011: Order for Second Stage

Bill entitled an Act to provide for the imposition, repeal, remission, alteration and regulation of taxation, of stamp duties and of duties relating to excise and otherwise to make further provision in connection with finance.

Minister for Finance (Deputy Michael Noonan): I move: "That Second Stage be taken now."

Question put and agreed to.

Finance (No. 2) Bill 2011: Second Stage

Minister for Finance (Deputy Michael Noonan): I move: "That the Bill be now read a Second Time."

The purpose of the Finance (No. 2) Bill is to introduce the necessary changes to taxation legislation which give effect to measures I announced on 10 May as part of the jobs initiative.

There is now a broad consensus that the economy will return to growth this year. The Department of Finance published revised economic forecasts the week before last which anticipate that the economy will expand by 0.8% this year and 2.5% in 2012. Other institutions such as the IMF, the European Commission, the Central Bank and the ESRI also anticipate an increase in economic activity in 2011, followed by acceleration in the growth rate next year. We are beginning to move in the right direction and the jobs initiative will add to that momentum.

The recovery is being led by developments in the external sector. Exports grew by 9.5% last year, the strongest rate of growth in a decade, and appear to have continued this impressive trend at the start of 2011. This would be typical of a small open economy. The pharmaceuticals, software, financial and business services and food sectors are all performing well. Exporters are looking to new export opportunities in north and south America and Asia; exports to Brazil, Russia, India and China, the BRIC countries, increased by 12% last year. However, it might be appropriate to note at this point that the success of the royal visit last week may also have economic benefits for exporters trading with our nearest neighbour. The impressive export performance and the increase in FDI inflows have been underpinned by significant improvements in our competitiveness, reversing the sharp losses experienced earlier in the decade.

The Department's forecasts anticipate average growth of 3% per annum in the period 2013 to 2015. Given the need for additional adjustment in the internal economy, notably essential fiscal consolidation and an unwinding of private sector imbalances, recovery in domestic demand will take longer than normal to occur. Nevertheless, the recovery is expected to spread from the external sector to investment and, finally, to consumer spending, while growth is expected to be more broad-based by the end of the forecast horizon. This House does not need me to remind it that the Irish economy has experienced an extremely sharp downturn in recent years. Gross domestic product has contracted in each of the past three years and is now around 15% lower than it was at its peak in mid-2007. This, of course, reflects a substantial decline in construction activity and falling consumer spending. However, despite the downturn, the fundamental strengths of the Irish economy remain and will support growth in the medium term. These strengths include our young, well-educated workforce, favourable demographics and our strong pro-enterprise environment. Building on and developing these strengths is one of the principal drivers of the jobs initiative.

Improving the environment to create a more fertile seed bed for the creation of more jobs is a challenge that this Government is meeting. Improving labour cost competitiveness is a key instrument in creating that improved environment. This is why we are halving the rate of employers' PRSI until end-2013 on jobs that pay up to €356 per week. Reducing the costs to employers of taking on new employees is vital if we are to support job creation. This measure will complement the targeted VAT relief in the labour-intensive tourism sector and help to create more jobs in that sector of our economy. My colleague, the Minister for Social Protection, will legislate for the reduction in employers' PRSI in the forthcoming social welfare Bill which she will publish in early June. The social welfare Bill will also legislate for the abolition of the charge to employers' PRSI on share-based remuneration with effect from 1 January 2011. The imposition of this charge on employers needlessly increases the costs of doing business in Ireland and has the potential to negatively affect current employment levels and future investment decisions. Businesses operate under strict budgetary control in the current economic climate and increasing their costs is unwise.

I remind the House that this not a typical finance Bill. On this occasion, the Finance (No. 2) Bill has been drafted specifically and exclusively to give effect to those taxation-related measures which I announced in the jobs initiative. Accordingly, the Bill is short and focused and covers four areas — the research and development tax credit; the suspension of the air travel tax; the introduction of a second lower rate of value-added tax; and the introduction of a pension levy.

I will now discuss each of these four measures in more detail. Section 1 of the Bill relates to the research and development tax credit. While Deputies will be aware that the corporation tax regime is a vital element of our industrial policy, other measures also have an important part to play. Ireland has a very attractive research and development tax credit scheme which allows, as a general measure, a 25% of incremental expenditure by a company on qualifying research and development to be set off against its corporation tax liabilities or, where there are no such liabilities, for the credit to be paid to the company. Since 2004, the scheme has influenced the decisions of many multinational firms to locate internationally mobile research and development projects in Ireland.

There are various methods by which companies can account for the research and development tax credit, either as a below the line reduction in corporation tax liability or as an above the line write-off against operating costs. I announced as part of the jobs initiative that I intended to amend the research and development tax credit legislation. Accordingly, this section of the Bill amends the research and development tax credit provisions primarily for the

[Deputy Michael Noonan.]

purpose of enhancing the flexibility for accounting purposes for the research and development tax credit on an above the line basis. There have been calls by some to do more in this space and, indeed, the programme for Government contains proposals for further improvements to the research and development tax credit scheme, subject to the outcome of a cost benefit analysis.

Section 2 relates to the air travel tax and amends section 55 of the Finance (No. 2) Act 2008, to empower the Minister for Finance to appoint, by order, a day on or after which passenger departures would not be subject to the tax. As part of the effort to boost tourism, I am thereby providing for the air travel tax rate to be reduced to zero or suspended. To be clear, the commencement of this measure is subject to an agreement being reached with the airlines to bring in additional passenger numbers. My colleague, the Minister for Transport, Tourism and Sport, is holding discussions in that regard. If these discussions are satisfactorily concluded, I will introduce this provision by order on a specific date, to be agreed. Furthermore, a review of the measure will be conducted before end 2012. If it is considered unsuccessful the air travel tax will be reapplied. Consequently, the relevant legislation measures will remain in place to allow for them to be recommenced if so required. The cost of this measure, based on an implementation date of 1 July 2011, is €15 million in 2011, €90 million in 2012 and €105 million thereafter. The suspension of the air travel tax is but one of a number of approaches being taken as part of the jobs initiative to revitalise the tourism industry.

Section 3 amends the Value-Added Tax Consolidation Act 2010, to provide for a second reduced VAT rate of 9%, in respect of certain goods and services, for the period 1 July 2011 to 31 December 2013. Thereafter the rate will revert to the 13.5% rate. It is estimated that this measure will cost €120 million this year and €350 million in a full year. As I announced in the jobs initiative statement, this amendment provides that the 9% rate will mainly apply to restaurant and catering services; hotel and holiday accommodation; admissions to cinemas, theatres, certain musical performances, museums and art gallery exhibitions; fairgrounds or amusement park services; use of sporting facilities; hairdressing services; and printed matter such as brochures, maps, programmes, leaflets, catalogues, magazines and newspapers.

The purpose of this targeted VAT relief is to boost tourism and to stimulate employment in the sector and I am confident that it will give our tourism industry a much needed shot in the arm. However, to ensure that the sector is delivering, the effects of the changes will be assessed and the measure reviewed before the end of 2012 in the context of preparing budget 2013. To digress slightly, I would note that these two measures are specifically targeted at the tourism sector.

Much economic activity within the tourism industry is highly intensive in its use of labour. This is particularly true of hotels and restaurants, recreation and entertainment. However, tourism continued to decline last year with the total number of trips by visitors to Ireland down by 13% on the 2009 level. This brought to 25% the cumulative decline in inbound tourism numbers between 2007 and 2010. Over the same period, earnings from tourism and travel fell by about 30%. The United Kingdom is our most important overseas market with close to half of overseas visitors coming from there. It is also the market that has seen the greatest contraction since the recession began. Between 2007 and 2010, trips to Ireland from Britain fell by 32%. If we can recover this lost ground then tourism can make a very substantial contribution to our economic recovery and to the creation of employment in all parts of the country. Again, I would like to think that the success of last week's visit by the Queen may help us in this aim. Much investment has already taken place in the tourism sector and we have a stock of accommodation, a large proportion of which is of a very high quality by international standards. We have entertainment and recreational facilities that have been significantly enhanced by

public investment in recent years and a much-improved transport infrastructure. Overall, our tourism products are very strong and present us with a great opportunity for development and expansion.

The various tax reduction and additional expenditure measures announced as part of the jobs initiative are, of course, required to be budget-neutral. This means that money to pay for them must be raised from other sources. Accordingly, I announced on 10 May a temporary levy on funded pension schemes and personal pension plans. This is provided for in section 4. The levy will apply at a rate of 0.6% to the capital value of assets under management in pension schemes approved by the Revenue Commissioners under Irish tax legislation. The schemes affected are retirement benefit schemes, that is, occupational pension schemes, retirement annuity contracts and personal retirement savings accounts other than those known as vested PRSAs. It will apply for a period of four years, commencing this year, and is intended to raise approximately €470 million in each of those years. The levy will not apply to pension funds established here that provide services and benefits solely to employers and members exercising their activities and employment outside the State. In other words, the levy will not apply to a scheme that is intended to provide retirement benefits outside the State. In addition, it will not apply if the trustees of a scheme have passed a resolution to wind up the scheme and if the business in respect of which the scheme was established is insolvent. Provision is being made to give pension scheme trustees or administrators the option of adjusting the benefits payable under a pension scheme on foot of payment of the duty. The chargeable persons for the levy are the trustees of pension schemes and the insurers and administrators who manage the assets of pension schemes.

Section 4 makes consequential changes to certain provisions of the Taxes Consolidation Act 1997 relating to the approval conditions that apply to pension scheme providers located outside the State that seek to provide retirement benefits in the State. Under the existing legislation, unless such providers have a fiscal representative in the State, they are required to enter into a contract with the Revenue Commissioners to the effect that all duties and obligations imposed by the pensions tax legislation will be discharged. These duties and obligations are being extended to include the levy. There has been some speculation that the Government will raid investment funds or deposit accounts. I assure the House that the Government has no plans in this regard.

Deputy Jerry Buttimer: Hear, hear.

Deputy Michael Noonan: The Government's top priority is to safeguard the security of savings. It would not wish to consider any step that would have a negative impact on such confidence. Other savings or investment products have not benefited from the generous tax reliefs that pension savings have historically been granted and continue to receive. Deposit accounts and savings products have already been subjected to additional taxation in recent budgets. I refer to the increase in the rate of DIRT and exit taxes, neither of which affected pension funds.

I am conscious of the concerns of the pensions industry about the impact of a levy in circumstances where the pensions sector, in common with other sectors in our economy and society, is finding the current economic and financial environment challenging. The levy is being imposed for a relatively short period. Its purpose is to improve the economic and financial environment by providing the means to encourage job creation in those areas of the economy that are most likely to deliver employment quickly. The levy is being confined to pension funds because the alternatives for increases in taxation elsewhere would damage the economy at this time. My officials are consulting the pensions industry and other interested stakeholders on the legislative provisions in this section with a view to minimising, where possible, any unnecessary difficulties to which this measure may give rise.

[Deputy Michael Noonan.]

I am aware that the pensions sector is also concerned, given the temporary levy, about the commitment in our agreement with the EU and the IMF to reduce tax relief on pension contributions from next year. I will examine this issue in the context of the results of the comprehensive review of expenditure being undertaken by the Minister for Public Expenditure and Reform. I will consider any resulting scope for fiscally neutral changes to the EU-IMF agreement. I have outlined the four measures in this Bill. There are two further sections. Section 5 relates to the care and management of taxes and duties and section 6 refers to the Short Title and construction of the Bill. These are standard provisions or entries. A small number of matters are still under consideration for inclusion in the Finance Bill. I may bring such proposals forward on Committee or Report Stages. I will also give consideration to any constructive suggestions made by Members during this debate.

Deputy Michael McGrath: I would like to share time with Deputy Seán Fleming.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Michael McGrath: I am pleased to have an opportunity to contribute to the Second Stage debate on the Finance (No. 2) Bill 2011, which gives effect to the taxation measures announced in the jobs initiative two weeks ago. The Government has decided to target its stimulus measures towards the tourism sector. It hopes this approach will attract additional visitors to Ireland and lead to job creation. As I said in the Dáil the day after the jobs initiative was announced, I hope this stimulus works, helps to attract more visitors to our country and ultimately leads to the creation of jobs. I agree with the Minister that the events of the past week will have assisted us considerably to meet that goal. I compliment the work of everyone involved in the organisation of the two State visits.

On the overall financial numbers in the booklet published when the jobs initiative was announced, the additional cost of the measures planned by the Government is €1.765 billion, comprising €315 million for the abolition of the air travel tax, €880 million for the reduction in the rate of VAT, €500 million for the reduction in employers' PRSI, €41 million in activation measures and €29 million in capital expenditure that is additional to that provided for through the reallocation of moneys under certain subheads. The Government plans to raise €1.88 billion by the end of 2014 through the levy on the pension fund. It expects to raise €115 million more than it intends to spend on employment initiatives. Perhaps the Minister can clarify the rationale for this later in the debate. He may have built some headroom into his numbers. I remind Deputies that many positive things could be done with €115 million. I am sure the Minister would like to comment on that. Fianna Fáil's spokesman on transport and tourism, Deputy Dooley, will speak about the travel tax and other tourism sector issues, such as the impact this initiative is expected to have on tourism.

I look forward to discussing the detail of this brief Bill on Committee Stage. I will focus most of my contribution to today's debate on the planned levy on private sector pension funds. I welcome the enhanced flexibility in the accounting for research and development tax credit on an "above the line" basis. This will help to further enhance Ireland's attractiveness as a hub for research and development activity. The Minister acknowledged that some tax practitioners have expressed disappointment that this Bill does not introduce the key measures proposed in the programme for Government. I refer particularly to the extension of credit or the facilitation of access to credit by small and medium sized enterprises. We can discuss this issue in more detail on Committee Stage. It was expected that the Government would take the opportunity to introduce further measures to make the research and development tax credit regime more accessible to small and medium sized enterprises. Cash flow is a big issue for such enterprises.

The acceleration of the refund period from three years to one year would have been a welcome boost for them. The move to a volume-based approach for small and medium sized enterprises would also have been welcome. We can tease out this issue in greater detail on Committee Stage.

The proposed levy on private sector pension funds is deeply unfair. To the best of my knowledge, it represents the first time the State has targeted the savings of private citizens. Some Ministers have compared the levy to DIRT tax, but there is a fundamental difference between the two. DIRT is a tax on interest, whereas this levy is a tax on savings. The more people have saved in their pension funds, the greater the levies they will pay. People are asking whether the Government intends to go after their bank or post office savings, or any investments they may hold. The Minister alluded to this concern in his speech. I welcome his clarification that the Government has no such intentions. We know that a 0.6% annual levy on pension schemes could result in a 21% fall in the value of a private pension fund if it were continued over the lifetime of the fund. In such circumstances, this proposal would mean in concrete terms that someone who was expecting to live on €50,000 a year would have to live on €40,000 per annum.

Although the sunset clause in the Bill will bring an end to the levy in 2014, in four years' time the Government will be tempted to extend the life of the levy or to make it permanent. I expect that our public finances will still be under pressure in 2014. People with savings in pension funds want an absolute commitment that this levy will not be extended beyond 2014 and will not become permanent. It is important for the Government to be clear on this point because those who are in a position to do so would like to plan their contributions for the next few years. We should state honestly that Governments are always reluctant to relinquish revenue streams after they have become embedded in the system. This revenue stream will have become embedded by 2014. I accept that the Bill provides that it will come to an end in that year.

Although every private pension will take the same hit in percentage terms, defined benefit schemes, which promise members a guaranteed pay-out on retirement, are most vulnerable under the levy. Already, 75% of defined benefit pensions are underfunded, meaning they do not have enough money to meet their expected liabilities. Without additional contributions from members or the employers who sponsor them, such schemes will be forced to either reduce benefits or wind up. Defined benefit schemes are already being restructured as employers throughout the country negotiate with employees about making changes to them, which generally involves either additional contributions or benefit reductions. What are the options open to defined benefit pension schemes whose financial position will now be worsened? They are to reduce further employee benefits, increase employer contributions — many employers are not in a financial position to contribute more — or raise employee contributions. While it would be great if the cost could be absorbed by a reduction in pension fund charges, such a scenario is unlikely to say the least.

The pensions industry fears that multinational corporations with bases here will re-evaluate the location of their Irish employees' pension schemes and their commitment to future investment. It has been pointed out that multinationals have to consider whether to maintain pension schemes here or move them abroad, for example, to the United Kingdom or Malta. The levy is also a major disincentive to companies considering moving a corporate headquarters or employees to Ireland. Moreover, other centres competing with Ireland for financial services business will be able to use the levy in their marketing and hold it up as a negative on Ireland's scorecard.

Will the Minister clarify whether the Pensions Board was consulted on the levy and, if so, will he advise us what opinion was expressed by the board on the application of the levy? My

[Deputy Michael McGrath.]

party leader, Deputy Martin, asked the Taoiseach on Leaders' Questions about an impact assessment. Has an assessment been done on the impact the levy will have on pension schemes? The Minister stated in recent weeks that the pensions industry has exaggerated the impact of the levy. How can he make such a statement in the absence of an impact assessment? He must disclose the facts in that regard. What level of background research was conducted on the proposal and what impact will it have on the pensions industry? More important, what impact will it have on the final payout from pension funds, in other words, on the level of pensions?

I have heard a number of Ministers describe the proposed levy as a modest tax on pension funds which were built up on the back of very generous tax reliefs provided over many years. While a person who pays into a pension fund receives tax relief on his or her contribution, he or she must pay tax at the exit point. As with other forms of income pensions are fully subject to the income tax provisions when they are drawn down.

The key points are that the levy on pension funds introduces an impediment for those who wish to act prudently by providing for their retirement, penalises those who wish to reduce their financial dependence on the State during retirement, acts as a disincentive to saving for retirement and runs completely contrary to the longstanding State policy of encouraging people to invest in a private pension. In its report last week on the funding facility extended to Ireland, the International Monetary Fund touched on this point when it noted that staff "had reservations about the quality of this measure, including potential behavioural responses, but the authorities consider that the temporary nature of the levy mitigates these concerns."

The proposed levy applies to pension funds irrespective of whether the fund in question is performing strongly or poorly or is insolvent. It is not related to the financial circumstances of the pension saver and does not take into account whether he or she is unemployed, has recently been made redundant or is close to retirement. Those hardest hit will be older people who have spent decades building up their pension fund and will lose one fortieth of its value through the levy. People at or close to retirement will not have time to plug the hole left by the levy whereas its impact on people in the early stages of their working lives will be less onerous. To rub salt into the wound, many wealthy people who are holding their retirement savings in an approved retirement fund, ARF, will escape the levy since an ARF is a type of investment fund into which individuals may transfer their pension pot on retirement rather than buying an annuity which pays a regular annual pension.

The Bill provides for reducing the value of pensions by allowing pension scheme trustees or administrators the option of adjusting the benefits payable under a pension scheme. In many cases, the outcome of this provision will be that the levy will be passed onto pensioners by way of a reduced pension payment.

The Minister referred to the reduction of tax relief on pension contributions and indicated it will be considered as part of the comprehensive expenditure review. This matter must be clarified as soon as possible. It has been longstanding practice to encourage people to save for their pensions through the provision of tax reliefs. The EU-IMF deal provides for a reduction in the tax relief on pension contributions on a phased basis and the issue is subject to review. People who are planning their financial affairs and pension arrangements will want to know what tax reliefs will apply in the coming years.

Deputy Ross made a valid point in the House recently regarding the charges imposed by the pension industry. The Taoiseach also referred to this matter. In the case of personal retirement savings accounts, for example, some pension managers charge 5% of every contribution plus a 1% management fee. The industry must consider what contribution it can make to mitigate the

impact the levy will have on savers, namely, those who rely on an income stream in retirement from the pension fund in which they have invested. It must provide some answers in this regard.

On the VAT proposals, the Government has taken a prudent approach by deciding not to set a specific target for the number of jobs the measures will create. It would be helpful, however, if targets were set for each calendar year. The Minister stated the VAT reduction would be reviewed at the end of 2012 in the context of the budget for 2013 to determine what impact it is having. I presume the review will also assess whether the reductions have been passed on to end consumers, as I hope they will be. The ultimate goal of the VAT measure is to create additional employment in the relevant sectors by creating additional buoyancy and a stimulus. The Government has decided not to apply a VAT reduction to construction and building work, the most labour intensive of all services. It should have provided some targeted support in this area. Not only would this have stimulated additional activity in a sector that is on its knees but it may also have encouraged some of those engaged in the thriving black economy to move into the normal economy, thus providing VAT returns and benefits to the Exchequer. While the Government had choices, it decided to target the tourism sector. Its measures in this area have the potential to create additional employment and improve Exchequer receipts by way of additional VAT, income tax returns and so forth but other areas could also have been targeted in a manner that would have had a positive impact on the economy. We can discuss some of the individual proposals in greater detail on Committee Stage.

Deputy Sean Fleming: I welcome the opportunity to speak to the Finance (No. 2) Bill 2011. While the general view is that the levy on pension funds will raise €1.88 billion over four years, I believe the Minister fully expects it to raise at least €2 billion over the period in question. I concur with Deputy Michael McGrath that the measures will result in reductions in revenue of the order of €315 million from the air travel tax, €880 million from VAT and €537 million from employer PRSI. In addition, the Bill provides for additional capital expenditure of €29 million in the first year and €164 million over four years on labour activation measures. This brings the total cost of the measures to €1.95 billion. Clearly that is more than was suggested in the original statement, which was €470 million. It is clear therefore that the Minister is expecting that there will be some increase in value in the funds over the period and he has factored that into his initiative. He expects to raise closer to €2 billion and if there is growth in the fund I expect him to raise in excess of €2 billion, which is a considerable amount of money. When the industry takes that fully into account it will appreciate that the amounts are much greater than have been suggested publicly, to date. While the money is being raised and I am sure the Bill will be passed by the House in due course, we on this side of the House will have no option but to vote against Second Stage. That is due to the harshness of the measure, including the imposition on private pension funds and in particular because so many wealthy people will be exempt.

In the section dealing with payment dates, the Minister states that the first payment date in 2011 will be 25 July and the next payment date will be 25 October. The first payment date next year will be 25 March 2012, while from thereon in he will bring forward the payment date to 25 September each year. Therefore in a 14 month period from 25 July 2011 to 25 September 2012, we will have a full two years' pension levy being implemented and collected. In that case, a 24 month levy will be collected in a 14 month period, which in itself will cause another significant shock. It will be in the region of €1 billion, which is much less than people originally thought of as €470 million this year and the next two years. When one examines the dates the Minister has specified in the legislation one can see that he has taken 50% of the four-year amount in a 14 month period, which is significant. People will have to take that seriously into account when they are considering their views on the legislation. Will the Minister address that

[Deputy Sean Fleming.]

point from a cash flow point of view, as well as explaining in further detail why the two years' amount is coming out in a 14 month period?

An important issue concerning the Bill is to clarify the situation of people who have worked or are working abroad. The legislation says that excluded assets will relate to people whose employment in relation to the scheme was wholly exercised outside the State when this measure is enacted. I understand what the Minister is doing, but its implementation will cause phenomenal practical problems. Will the Minister create a new regime for tax exiles here? I do not know the names of companies involved, but it is important that in the course of debating the Bill we should be told the type of characters to which the Bill applies. I am thinking of ESB workers who gave up a pay increase to top up their pension fund because it was in deficit recently. Meanwhile, their colleagues' portion of the fund may be exempt from the overall fund because they were working abroad for ESB International. This may also be the case for Aer Rianta staff. In addition, in recent years, Ryanair staff have been based at a greenfield site in London. Will that pension fund be excluded from this provision because they are deemed to be based in London?

I am thinking above all of the Irish banks. Apart from not managing what they were doing at home, many of them extended too far and too vigorously abroad. Many of their staff are also working abroad. Will we therefore find that the AIB, Bank of Ireland and Anglo Irish Bank pension funds are exempt from this legislation for employees based in England, the Continent, the USA or elsewhere abroad? I would like that matter to be clarified. People would find it offensive if on the one hand we bailed out AIB and Anglo Irish Bank at the taxpayers' expense, while on the other hand we introduced a measure to exclude employees of such organisations who are working abroad, either in a foreign branch or a subsidiary. That point needs to be clarified.

Staff of many other semi-State companies could have worked abroad, although I do not know the employment contract details of those who work for agencies such as Fáilte Ireland, IDA Ireland, Córas Tráchtála — the Irish Export Board — or other such companies. We need to know the number of people who will be exempt from this measure by virtue of being employed overseas. In addition, how will the Minister work out how the Bill will apply to those who were working abroad for part of their careers, but not all their working lives? What is the definition of someone whose employment was almost wholly abroad? How will the value of their pension fund be calculated versus that of their salaries when they were contributing to such a fund while abroad? We need to get details on this because I see it as a way for many people to wriggle out of paying, which was the original intention of the legislation. These exemptions could cause more trouble than they are worth.

Some of those people could have been working abroad but might have been resident in Ireland for tax purposes. They therefore got the benefit of tax relief going into the scheme, but will they be exempt from the levy because they were, or are, working abroad? I do not know. The House, the people concerned and industry generally need to know the answer.

In his statement, the Minister said that the levy will not apply to the extent that the scheme is intended to provide retirement benefits outside the State. Does that refer to people who are currently abroad and are no longer living here, or those who worked outside the State but are now living here? Do they have to have been in both categories? We need to have that matter spelled out in further detail because it is not in the Bill. It is important that we should know because it is relevant to a person's domicile during the course of their working career.

Even though I cannot see any Labour Party Members here, hardly a week went by in the last five years when Deputy Joan Burton did not refer to tax exiles and non-resident tax

dodgers. Will this Bill open up a new scheme for tax exiles to avoid the levy? If so, I would like to hear the Labour Party's view on the matter. It needs to be thrashed out in further detail.

I am concerned that some wealthy people will be able to escape from the fund, which would be horrific. On 12 May, the Taoiseach, Deputy Enda Kenny, confirmed that the retirement income held in flexible pension accounts will not be liable to the pension levy. He added that approved retirement funds, into which most wealthy people have moved their pension funds on retirement for tax efficiency and estate planning purposes, were not considered pension funds. It is abhorrent to the public that a select handful of people will get away with it again. The general view seems to be that Michael Fingleton's pension pot will be exempt from this levy, as will that of Mr. David Drumm who is regularly preaching to us from the east coast of the United States. If so, it is abhorrent. If the Minister has to amend the legislation to bring those people back into line, he will be doing what everyone in this House, and the general public, consider is the right thing to do.

There is something immoral about the fact some of the people we are bailing out will avail of a tax loophole in the legislation. It is bad enough to have to deal with legacy issues concerning some of these people, without introducing new measures whereby they can escape from the new levy. Everybody here would find that abhorrent. I hope the Minister will work on that. We need to know much more about wealthy people who may escape the levy.

I am also concerned about whether there will be a flight of assets from the country during the period of this levy. Some experts say there might be such a flight of funds out of the country. Ireland has been renowned for its excellent financial services facilities. Ireland has developed a market as a financial services centre. Arising from this single measure, our country might well see a significant outflow of funds and employment in related services, perhaps extending beyond pension assets. This will put the shiver up people who have other assets under management.

Will the Minister clarify a point? I am not as convinced as others by his statement that he will not touch people's deposit savings. A few minutes ago, he stated: "I assure the House that the Government has no plans in this regard", that is, to raid investment funds or deposit accounts. Of course it has no plans, but it must give the House an absolute guarantee for the lifetime of the Government that the latter will not do it. There is no use in saying that it has no plans today, as it could have them tomorrow or next week. The statement is unconvincing.

Deputy Michael Noonan: The Deputy has been too long in Fianna Fáil.

Deputy Sean Fleming: It is fine in the present tense, but it does not extend into next week, next month or next year. The Government might grow to like the €470 million it will get every year. It might believe there is an easier way to deal with it.

Deputy Michael Noonan: The Deputy has been dealing with tricky people his entire life.

Deputy Sean Fleming: This measure will create a major problem for defined benefit schemes, the participants of which are the most vulnerable. The pension industry can make some contribution. Everyone knows how, when one takes out a life assurance policy, the commission charged in the first year is astronomical. The industry should contribute some portion to the levy by way of a reduction in its costs.

While we are referring to 200,000 private sector workers, it is also important to remember that many public sector workers have taken out additional voluntary contribution, AVC, policies to buy additional years. Many of the teachers, nurses, departmental staff and other public servants who took career breaks have taken out AVCs to ensure that, when they retire, they will receive full benefits. The State did not have a system whereby staff could arrange this

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efficiently or competently, leaving them with no other option. Their AVCs will also be hit by this levy.

I do not accept the argument put forward by some in the private sector that this levy has only been placed on the private sector and should also be placed on the public sector. The public sector pension levy has been biting for a long time and public servants were the first people to take the hit. They were probably the easiest target. Since I did not hear those same people in the private sector volunteering to take the pension levy deduction when it was introduced for public servants, it is difficult to take them seriously at this stage.

I would like some clarification regarding the points I have raised. The legislation is short and, in the interests of its acceptability among the public, some of its points should be clarified to ensure that the wealthy and the big players, those who have done this country enormous damage, are not facilitated by the establishment of a new loophole that would allow them to escape these provisions.

Deputy Pearse Doherty: When the jobs initiative was announced, I stated that it would come as a major disappointment to the 440,000 people out of work. The Government missed an opportunity to use the resources at its disposal to invest in job creation and to have a proper stimulus package that would support businesses and struggling families. Not only will the initiative announced by the Minister fail to create meaningful employment, it might make matters worse. Perhaps the measures are not included in this Finance Bill, but those the Minister announced on the day could potentially depress consumer spending and lead to an increase in unemployment levels. I say this with particular regard to the review of labour agreements.

After the announcement, the media asserted that at least something was being done and that it was better than nothing. This was the general feeling, but what has been done? Consider the detail of the Minister's first Finance Bill, which represents the Government's first opportunity to reverse some of the draconian, drastic and horrible cuts introduced by the previous Government. The Bill is nine pages long, has little detail and contains nothing substantial that will create jobs.

People who, through no fault of their own, lost their jobs in the middle of this recession or came out of college with degrees, masters or PhDs are asking for job creation and opportunities. Many people waited with anticipation for the new Government to bring a fresh approach and a new era, but many of them have been genuinely and deeply disappointed. The Bill will not significantly stem the flow of emigration. Recently, I had an opportunity to visit the Passport Office on behalf of a relation. I chatted with a number of young people who were fed up with what had happened. Despite all of the buzz and feel-good factor following yesterday's address by the President of the United States and his creed, "Yes we can", people believe they no longer can because the Government is not stepping up to help as it should. Like the programme for Government, the initiative contains no job creation targets.

It is worth reminding the House that, while the Government proposes spending €135 million on capital projects, €106 million of that is from existing allocations. There will only be additional spending of €29 million in this regard. The €29 million is to be welcomed. Donegal County Council received approximately €3 million for additional capital spending on roads it or its officials did not have an opportunity to decide on, since the National Roads Authority, NRA, told councils on which roads to spend the capital. However, it is likely that no jobs will be created by the additional money. It is a pittance. January's snow and frost caused road damage amounting to €8 million in County Donegal. An additional €3 million is being allocated to the council under this jobs initiative. I stress this point because the Government could have done a great deal and taken immediate, decisive and brave action to put people back to work

while bettering the environment for people living in that community and for those travelling in and out of some of the most scenic areas in Ireland.

I do not know whether the Minister has ever had the opportunity to visit County Donegal or use Donegal Airport. It is a fantastic airport and I am delighted its public service obligation, PSO, will remain. For a peripheral county, such a service is important. We always hear about the large amount of work done by Aer Arann to fly charter flights between there and other parts of Europe, but when one leaves the airport, one is on a roller-coaster trying to dodge potholes here and ditches there while lines of cones warn people about soft verges. It is a disaster, but the frost damage has created further problems.

The Government could have used the resources of the State to invest in job creation and capital projects, to get our roads back up to scratch and to invest in our sewerage schemes and water treatment plants. The leaking pipes through which approximately 40% of all of the water in our distribution network is lost could be repaired and made fit for purpose, which would serve to reduce water charges on business. Not only must businesses pay for the water they consume, they must also pay for the 42% or 43% of water lost due to inefficiencies in the pipe network.

All of this could have been done, but there was unwillingness to increase investment in labour intensive capital projects significantly. It is nothing short of scandalous at a time when so many willing and able people in the construction sector are sitting at home on social welfare payments but want to return to work and build our communities.

The same type of thing can be said about the 20,900 new training places promised in this initiative. Of course they are welcome, and the people who will avail of those projects will deeply welcome them, but they are a far cry from the 60,000 education and training places and work placements promised by both Government parties during the general election campaign. What amplifies the problem is the fact that the total additional expenditure in this area is a meagre €11 million. Paying a mere €11 million extra for job activation measures is not acceptable.

All of this is set against the commitment to cut tens of thousands of jobs from the public service and drive down the wages of more than 300,000 of our low-paid workers who are covered by JLCs and REAs. That is what we must measure it against. I thought it was pathetic — I say that advisedly — that we had three days of debate on a jobs initiative. I would welcome three days of debate on a jobs initiative if it was actually going to create jobs, because that is what we need to be talking about, but what was announced by this Government did not warrant three days of debate. This week, we have two days of Second Stage debate on a nine-page Bill which contains four real measures, three of which I have no real problem with and one of which I have a serious problem with. However, this is not what we should be dealing with. We should be dealing with the major crisis in our country. I have already addressed the fact that we have three crises: a banking crisis, the deficit crisis, and an unemployment crisis. A nine-page Bill as the Government's major initiative is not what I and the majority of people expected.

By having this review and by lowering the wages of our low-paid workers who are covered by JLCs and REAs, we will be reducing the spending power of people who are already on very low incomes. This will create economic hardship and further poverty. It will have a devastating impact on thousands of households and on the small and medium-sized businesses that are depending on those people to survive. It is hard to believe that a Government that was elected on a platform of investing billions of euro — those are its words — in job creation and economic recovery is now proposing a jobs initiative that will not create any meaningful long-term jobs,

[Deputy Pearse Doherty.]

while at the same time putting tens of thousands of public and private sector jobs at risk through its policies of crippling austerity.

Deputy Peter Mathews: Wait for NewERA.

Deputy Pearse Doherty: Tell that to the people at the passport office and in Dublin Airport. Get in a taxi and go up to the 23 year old who did nothing wrong and nothing to cause this crisis, and tell him to wait for NewERA. Tell the mother who is crying at home because she must watch her child go off to Australia, America or Germany, maybe never to return. I am the son of an emigrant. Tell them to wait for NewERA. Tell them to wait for the strategic investment bank. Tell them the Government has some great plan.

Deputy Peter Mathews: I have a son in that position.

Deputy Pearse Doherty: For 14 years, Fine Gael and the Labour Party sat in Opposition.

Acting Chairman (Deputy Tommy Broughan): I ask Deputies to make their comments through the Chair.

Deputy Pearse Doherty: They sat in Opposition for 14 years, and for many of those years they cried out about the then Government not doing enough about jobs. They are now in Government, and the mantra, “We have only been there for a couple of weeks” will start to become exhausted. They cannot use it time and time again. They have had opportunities to introduce proposals. They actually put proposals before the people. There was a proposal for a €7 billion investment in job creation. The Labour Party talked about a stimulus package of €500 million. What we have here is a pathetic excuse for how to address the biggest crisis faced by the State. The Deputy will get his opportunity to speak.

Deputy Peter Mathews: My own son was in the Deputy’s position.

Deputy Pearse Doherty: The previous Tánaiste spoke on the BBC about the plight of young people emigrating, saying it was a great thing that they were walking away with PhDs and degrees in their pockets. The people had their verdict on that type of attitude, and I believe they are genuinely disappointed. However, they still have hope that this Government can do a lot better than this Finance Bill. It needs to get to grips with a major problem.

Deputy Peter Mathews: I support the Deputy’s sentiment.

Deputy Pearse Doherty: As we have said, there are ways of doing this through proper stimulus. Sinn Féin has pointed out that we should use the resources we have available. We should inject €2 billion from the National Pensions Reserve Fund into a stimulus package. We argued that we should invest €2.9 billion in total over the next 12 months, which is not only affordable but urgently needed if we are to break the downward spiral created by Fianna Fáil’s policies of austerity, which are now being followed by those of Fine Gael and the Labour Party. Such a stimulus would not just get people back to work but would also result in a reduced deficit, increased tax revenues and a reduction in social welfare expenditure.

Sinn Féin would use €2 billion from the National Pensions Reserve Fund to fast-track labour-intensive infrastructure projects, such as constructing schools and hospital buildings, upgrading water infrastructure, developing public transport networks and rolling out State-wide broadband. We would inject a further €500 million into the economy in the form of a family stimulus package, funded through additional tax revenue. The aim of the measures would be to reverse some of the heavy burden placed on working families and those on social welfare by the last

Government and, in doing so, boost consumer confidence and spending. In addition, we would abolish the universal social charge.

We have argued consistently that the only way to get out of the mess we are in, the only way to get out of the grip of the recession, and the only way to reduce the deficit and return to positive growth is by investing in jobs, boosting consumer spending and strengthening local economies. The policies of austerity simply are not working. They have not worked in the past and they are not working now. Every time we have a new budget of austerity, we see deepening inequality, a rising deficit and more debt being heaped on ordinary people, and it simply is not working.

When I talked about this before, I told the House it is a case of see no evil, hear no evil, speak no evil. We are in serious trouble. I know the Government understands that. We are probably heading for a second bailout. The Government can present as many fairy-tale figures as it wants, saying we will return to 3% growth by 2013 or 2015, but it is hugely unlikely. The agenda of this Government, which is one of austerity and further cuts, is not likely to lead to anywhere near such growth. As a result, we will not be able to go back to the international bond markets, which is where we should be going, but will have to go back to the pot of the EU and IMF.

There are many things in the Finance Bill as presented that I do not have any problem with. Abolishing the travel tax is a great idea, but that is not what the Bill does. We must recall what the Taoiseach, Deputy Kenny, said during the general election campaign. He described the travel tax as destructive, saying it had cost the economy 3,000 jobs and cost the tourism industry €480 million but had netted only €100 million for the Exchequer. In the programme for Government, Fine Gael and the Labour Party promised to abolish the travel tax as part of a deal with the airlines to restore lost routes. Despite the promises that were made before the election and in the programme for Government, the Bill before us does not abolish the travel tax. Rather, it gives the Minister the power to suspend the tax by way of an order.

The programme for Government also clearly states that the travel tax will be abolished in return for the restoration of routes, but that is not what was stated in the jobs initiative, nor is it what the Minister stated today. He said the Government was now proposing the suspension of this tax in return for an increase in passenger numbers. We are not going to get back the lost routes; it is just a matter of passenger numbers. I can understand the negotiation behind it. We wanted Ryanair to restore lost routes, but it is not doing that, so we are asking it to increase passenger numbers. We will have a review in 2012 and if the proposal is not working, we will reintroduce the travel tax. What if Ryanair decides not to do that? Do we punish every other tourist who comes here for the intransigence of Ryanair? Does the Government not believe what the Taoiseach said just a couple of weeks ago — that the travel tax has cost 3,000 jobs? Why would we keep a tax that has resulted in a loss of €480 million? Those are the Taoiseach's figures, in which I am sure the Minister has full confidence. We should not only suspend the tax but abolish it, and it should not just be about passenger numbers.

Perhaps it should involve the introduction of routes. If, however, the intention is to remove it, then this should be done. We should not punish tourists who wish to enter the country.

Many people are inquiring with regard to why this tax has not already been removed. Those opposite have had approximately ten weeks to remove it and a commitment in that regard is contained in the programme for Government. However, it has been diluted time and again. There is no doubt this tax has caused damage to the tourism industry. I will support the measure but I wish the Minister had brought forward a proposal which lived up to what the Taoiseach, Deputy Kenny, stated previously and what the programme for Government contains.

[Deputy Pearse Doherty.]

The Bill gives effect to a reduction in the rate of VAT to 9% in respect of tourism-related goods and services from July next until the end of 2013. This measure must, of course, be welcomed if the effect of it is to boost spending in the tourism sector. Once again, however, we are faced with a Government presenting a half-baked measure against the backdrop of more general policies that will have a negative impact on the economy. I do not have a problem with the measure contained in this Bill but we all know what is going to happen to the other elements involved because the position in that regard is set down in the programme for Government and the EU-IMF deal. Basically, what is involved is that the higher rate of VAT will increase to 23%.

The Finance Bill that will give effect to the budget to be introduced in December will contain the necessary measures relating to VAT. What effect will the implementation of such measures have on the Government's jobs initiative? The Minister should visit Donegal and neighbouring counties and discuss with local retailers the effect an increase in the higher rate of VAT — from 21% to 23% — will have on their businesses. The previous Administration increased VAT at a time when VAT in the North was reduced as a result of a decision taken at Westminster. The scale of the increase was only 0.5% but the retail sector in the Border region was hammered as a result. The Minister's Government is now proposing to increase VAT by 2%. This will not just affect the retail sector, it will also have an impact on people who have very little disposable income. As already intimated, it will have a major effect on those who live in my constituency and in other constituencies in the Border region.

The core element of the Finance (No. 2) Bill 2011 is the imposition of a 0.6% levy on pension funds for the next four years. The Government plans to raise €470 million by means of this levy. In my view and that of my party, the pension levy proposal is deeply inequitable. It excludes the approved retirement funds used by many high earners to invest in their pensions. It also fails to differentiate between pensions held by ordinary workers and those of high earners.

I was extremely interested to discover the position of Fianna Fáil in respect of this matter. When I heard about the impending introduction of the pension levy, I carried out some research regarding when it began to emerge and who was responsible for bringing it forward in the Dáil as an option. I did not know whether it was the brainchild of Fine Gael or of the Minister. However, I discovered it was first raised on 19 January by the former Fianna Fáil Deputy Charlie O'Connor. The latter tabled a question to the then Minister for Finance in which he asked whether consideration had been given to introducing an annual levy on pension funds. The former Deputy also inquired whether the levy would be set at various levels from 0.25% to 1%. The then Minister, Deputy Brian Lenihan, less than two weeks prior to the dissolution of the previous Dáil, stated, "An annual levy on pension funds is a potential alternative that could be considered in this regard." I place this matter on record because I wish to illustrate the thinking of Fianna Fáil. I accept that elections change many things, but that was the thinking of the then Minister for Finance in response to a matter raised by another member of the Fianna Fáil Party.

There are far more equitable ways to raise funds through the pension system in order to assist job creation. Sinn Féin has long advocated the standardisation of pension tax reliefs at the lower rate. I am sure this will happen in due course. A measure such as that which we propose would not only remove an unjustifiable inequity in the current system, it would also generate significant revenue for the State to invest in economic recovery right now. Based on figures from a 2009 ESRI report on pensions, standardising pension tax reliefs would generate an additional €1.1 billion, of which €616 million would come from the top 10% of earners. It is estimated in the report to which I refer that in 2009 some 82% of all pension tax relief went

to the top 20% of income earners. This demonstrates — if ever such a demonstration were needed — the grossly unequal nature of this relief and also the need for its immediate reform.

Sinn Féin would invest the money to which I refer in a very different way than that outlined by the Government when it announced its jobs initiative. In the context of the Finance (No. 2) Bill 2011, the Government had a clear choice between raiding the pension funds of all or targeting new revenue-raising measures at those who can most afford to pay. Those were the options. The Government decided to target everyone, regardless of how large or small their contribution or the size of their income. It did not consider standardising tax reliefs. As already stated, 82% of the tax reliefs to which I refer, or just over €8 out of every €10 foregone by the State in such reliefs, goes to the top 20% of income earners. That is simply amazing.

The Bill does not deal with an issue which it should address, the universal social charge. I accept the Government's position on this charge is that it will carry out a review in respect of it at some stage. I am aware it has stated that the terms of reference of the review will be published and we will be in a position to participate in it when the time arises. The Bill before the House presented us with an opportunity to get rid of the universal social charge. We could have ensured that one of the most grotesque and unfair taxes or charges ever introduced by an Irish Government would be abolished. Everyone is aware this charge hits workers on low incomes. In addition, it significantly shifts the tax burden away from high earners and places it on their low-paid counterparts.

I previously tabled a parliamentary question to the Minister in respect of the number of people brought into the tax net as a result of the introduction of the universal social charge. If I recall correctly, his reply indicated that the ballpark figure was 500,000. That highlights the impact of this charge. Those to whom I refer are not 500,000 high earners and neither are they tax exiles. They are the people who did not have much money in the past and from whom the Government now wants to take a little bit more to pay for the recklessness of the bankers and the developers and to offset the lack of regulation applied by regulators and the lack of oversight exercised by senior politicians.

The Bill presented an opportunity for us to address this matter by replacing the universal social charge. At least there was some measure of equality in respect of the income and health levies, which were superseded by the universal social charge. The rate of the latter is 2% in respect of those with incomes upwards of €4,004. These people earn just over €77 per week. The rate of the universal social charge increases to 4% at €10,037 and to 7% at €16,017. That shows how progressive is this measure, which the current Government has left in place. A person earning €308 per week is paying the charge at the same rate as someone who earns €3,000 per week. That is simply not fair.

The changes relating to the universal social charge have led to an increase in what are termed the “working poor”. As already stated, the charge is less progressive than the health and income levies which it replaced. When the previous Government introduced the universal social charge, consideration was not given to people's ability to pay. In addition, an impact assessment was not carried out in respect of the real affect this charge would have on tens of thousands of ordinary people.

Fine Gael and the Labour Party had, in the form of the Bill before us, the opportunity to abolish this charge. Any decision to do so would have improved the daily lives of 500,000 of the State's lowest earners. This is the second such opportunity with which it has been presented in as many months. However, just as in the case of Sinn Féin's Private Members' motion relating to the universal social charge, the Government has again chosen not to take action.

We have been informed there will be a review and that the terms of reference relating to this will be published. However, the Government has still not indicated when the review will

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take place, when the terms of reference will be published and when people can contribute to the review in order that they might argue their case. There are Fine Gael and Labour majorities on many local authorities throughout the State and these have informed the Government, by means of voting in favour of particular motions, that they want the universal social charge to be abolished. The local authorities are of the view that this charge is simply wrong.

Earlier today I raised with the Taoiseach, Deputy Kenny, the issue of the civil partnership Act, which has been in place for almost a year. In January, the Minister, the Labour Party's finance spokesperson at the time and I had a meeting with the then Minister for Finance.

At the time, we were told by the then Minister for Finance, Deputy Brian Lenihan, that because of the rushing of the Finance Bill, the measures to give legal effect to tax arrangements under civil partnership legislation would not be prepared in time. Consequently, he said, a second finance Bill would be required. All parties around the table gave a commitment to introduce such legislation as quickly as possible.

This Government's legislative programme, published in the first week of April, stated the Finance (No. 2) Bill would include these measures. Again, however, these measures are missing in the Bill as presented to the House. What is the hold-up? Why have the measures not been included? They have been worked on by departmental officials for over two years. While I accept there are pressures on the Department, why is this necessary legislation not in place? When will the finance Bill dealing with the civil partnership tax measures be introduced and enacted? Will it be used specifically for such measures or will it be used to sneak in several more austerity measures?

The Finance (No. 2) Bill is a missed opportunity. If the Government had kept to its pre-election promises, we would have been debating real and substantive measures aimed at creating jobs in the public and private sector. We could also have been discussing changes to taxation aimed at boosting consumer demand and easing the pressures on struggling businesses and families.

Instead, we have more of the same tired old approach of the last Fianna Fáil Government. These austerity policies, designed by Fianna Fáil but now supported by Fine Gael and Labour, are not working. These policies, written under the watchful eye of the European Commission, the European Central Bank and the International Monetary Fund, will continue to push our economy and society further into the cycle of unemployment, debt and deficit.

This Finance (No. 2) Bill reinforces the lack of ambition and political will that underlies the jobs initiative itself. It will not play any meaningful part in creating jobs or stimulating economic recovery. Only an alternative approach, based on investment in jobs and boosting consumer demand, can break this cycle. The economy is crying out for stimulus while ordinary people are crying out for a change of direction.

There is an alternative. It is one that sees investment in jobs, the country's future and society while stimulating the economy. It is time for the Minister to wake up and realise the other way has failed. The policies that have been pursued have not just cost billions of euro but have broken families and imposed real hardships. Will the Minister for Finance examine the alternative proposals put forward by Sinn Féin again today?

Deputy Joe Higgins: I wish to share time with Deputies Luke Flanagan, Catherine Murphy and Richard Boyd Barrett.

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

Deputy Joe Higgins: Sadly, this Finance Bill is a caricature of a real job creation strategy. This is all against a background of almost 500,000 of our people unemployed, the spectre of long-term unemployment within that cohort increasing and thousands of young people leaving the country yearly. In all of this hardship, we have had a consistently reducing scale of ambition by the Government parties from the general election campaign through to the programme for Government and lastly with the announcement of the jobs initiative. Fine Gael's election programme spoke about creating 100,000 net jobs up to 2015 while the Labour Party promised a strategic investment bank and other such measures. Yet, the Minister for Finance could not put any figure on the number of jobs that will be created by this jobs initiative when he unveiled it. When I pushed him in the Chamber, he said some of the agencies involved referred to a figure of 6,000.

T.S. Eliot's somewhat appropriately named poem, "The Hollow Men", comes to mind:

Between the idea
And the reality
Between the motion
And the act
Falls the Shadow.

There is a massive shadow between what Fine Gael and Labour promised through their posturing in the course of the general election campaign and the reality of the proposals contained in the Finance (No. 2) Bill. The Government is tinkering around with taxes and VAT which are really peripheral when compared to the scale of work needed to be done in job creation. The Government reminds me of a child with a new toy; when it presses a button, the toy will perform the tricks it would like to see. That is about as optimistic as we can be when it comes to this Bill's proposals.

For example, the initiative has a huge reliance on the tourism industry to assist job creation. I hope tourists will visit Ireland in large numbers. We want to see good jobs in tourism which is why my party opposed the rush to drive down the wages of many workers in the sector as has been discussed at the joint labour committees in the past several months. The Government, however, has put a weight of expectation on the tourism industry that is simply unachievable.

The Government organised two major State visits, one by the Queen of England and the other by the President of the United States. It appears the Government then had the idea of hitching the depressed tourism industry to these royal horses so the industry could turn into a magic carriage that would bring us tens of thousands of visitors as a result. Unfortunately, real life is not like that. There needs to be a reality check on the specific measures proposed in the jobs initiative. The idea that removing a €3 tax on airline tickets will result in a clamour of front doors banging shut from Land's End to John o'Groats as people in England rush to their nearest airport to visit Ireland does not belong in the real world.

Deputy Michael Noonan: Deputy Joe Higgins should make the great leap forward.

Deputy Joe Higgins: Sadly, the reduction in VAT from 13.5% to 9% will not have the dramatic impact the Government hopes it will have. We are, unfortunately, talking here about the background of the wider crisis. Ordinary working class people from Britain, those on whom we depend most to come here and share their hard earned wealth with us, are being mercilessly hammered by Prime Minister Cameron and the Lib-Tory Government by way of £81 billion in cuts to their living standards over the next four years. While this continues, those people will have difficulty coming here. Also Irish working people cannot as a result of cuts here afford to

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take holidays, thus generating the type of work we would like to achieve within the tourism industry.

The additional €29 million for modest projects, as announced in the jobs initiative, is completely incapable of meeting our needs, against a background of a €1.7 billion cut this year alone in the State capital spending programme. The Government desperately hopes that making these few cosmetic changes will assist the private sector in creating jobs. In this regard one needs only look to the private sector and the cataclysmic collapse of private investment. I could not believe my eyes when I read that the gross domestic fixed capital formation fell from €50 billion in 2007 to €17 billion in 2010. The Government hopes these minor adjustments, along with the austerity programme which is savaging the ability of our people to buy goods and services, will rectify the situation.

The only way we can create the massive number of jobs we need is through major programmes of public investment. The Minister did not link this initiative to the economic recovery initiative which mentions infrastructure such as energy, communications and water or the Labour Party's strategic investment bank proposal. What we need is massive investment in infrastructural projects that will create tens of thousands of jobs, with progressive taxation. We should stop the ruinous policy of repaying the bondholders and so forth.

Is cúis mhór díomá dom an tionscnamh seo maidir le postanna a chruthú. Faraor, tá sé soiléir nach bhfuil aon straitéis réadúil ag an Rialtas chun na mílte postanna atá ag teastáil a chruthú agus nach bhfuil an infheistíocht chuí á pleanáil nó á cur isteach a bheadh riachtanach chun an leibhéal fostaíochta atá riachtanach a chruthú. Dá bhrí sin, agus is mór an trua é seo, leanfaidh an géarchéim dífhostaíochta ar aghaidh leis an bhfulaingt agus an crá chroí a chiallaíonn seo dos na daoine atá dífhostaithe.

Dá bhrí sin, caithfidhne athrú straitéise amach is amach a chur i bhfeidhm agus na billiúin euro a chur isteach in infheistíocht phoiblí — straitéis dhifriúil ar fad seachas an méid atá annso ag an Rialtas — chun na postanna atá riachtanach a chur ar fáil. Sin an t-aon freagra atá ar an ngéarchéim seo.

Deputy Luke ‘Ming’ Flanagan: I will be voting against this Bill for reasons I will outline, including how it is being funded, which is questionable and how, if we manage to get our hands on it, the money will be spent.

On the way to Dublin this morning, I listened to an interview on RTE radio with Mr. Eddie Hobbs, who was praised by the Government when in Opposition for barracking the previous Government. It now appears he has issue with the current Government in that he believes this legislation could be unconstitutional. Who knows? Perhaps he is right; perhaps he is wrong. Earlier I heard Deputy Ross being abused for not being perfect in the past. Perhaps the Government recalls what he had to say on the last occasion we spoke about this issue, namely, that there is another way of extracting this money from the pensions industry.

This afternoon I received a letter from the Irish Nurses and Midwives Organisation in relation to the pension levy. In the letter the INMO appeals to me to use my vote to prevent any attempt by the pension fund administrators to pass on a 0.6% job creation fund tax levied by Government to their customers. The INMO confirmed that it has raised the issue with its staff pension fund administrators and with AVC providers. According to them, the levy will be imposed on the trustees or administrators, which in the majority of cases is not the insurer or life company. The levy is not imposed directly on the member or members' fund and the Government must not provide for any such option. The following sentence of the letter was underlined: "The industry, based on a previous levy imposed in 1998, are presuming they will be given such an option and have run a slick campaign suggesting no other choice."

The letter goes on to say that since the announcement of the Government's jobs initiative the pension industry, through highly articulate spokespersons, has managed to convey the impression this payment towards the nation's recovery must be extracted from contributors to pension funds. The INMO believes the levy should be taken from the profits of the pensions industry or, more appropriately, their marketing and hospitality budgets, which are wholly unnecessary in the current climate. I do not know if that is the perfect answer. However, I do know that it is going to be very difficult to get this money. Whether or not it is difficult to get we must be careful about how we spend it.

I do not propose to put forward solutions to the lack of jobs countrywide. However, I can propose solutions for my area, which can be replicated in other parts of the country. I agree with Deputy Higgins that the tourism industry cannot be grown by that much in places such as Galway, Dublin, Killarney and other parts of Kerry. However, there is massive potential for growth in my area and similar areas. On the day the jobs initiative was announced I said in this House that reducing the price of a bag of chips by 5 cent will not encourage people from England, if they can get over Deputy Higgins's barriers on the east coast, to come to places like Roscommon and south Leitrim. Perhaps it might. I cannot imagine it encouraging them to visit other areas. What would make tourists come to my area and other similar areas would be a tourism product. I do not believe it too ambitious that places like south Leitrim and Roscommon could reach one third the level of tourism enjoyed by Galway. This would mean €90 million in extra revenue. Taking industry figures that for every €30,000 spent on tourism one job is created this would mean an extra 3,000 jobs for my area. When canvassing during the recent general election I put forward this proposal and was told it was unrealistic. If it is unrealistic then we will have to rely on some big company to locate in the area if we are to solve our jobs problem. That is not going to happen and as such we will have to make my proposal work.

Roscommon-South Leitrim has all the ingredients, including an able workforce, excellent transport and an abundance of self catering accommodation, something I could not have said a few years ago. In other words, the many empty houses throughout the countryside. We also have the attractions to bring people to our area. One reason people might like to visit the area is that they may not meet too many tourists, thus enjoying a little tranquility. They could then, when they leave, tell other people what a wonderful area it is. I am not being parochial. There are many other areas around the country that could develop tourism. If the product is put together correctly people will come. I agree with most of the other ideas behind the initiative although they will not change everything. Instead of reducing the price of a bag of chips in south Leitrim or Roscommon, can we have the €17.8 million to develop a tourism industry? The vehicle is already in place, in the form of the Leader companies, to distribute that money. We will be able to create jobs. I reckon in the region of 3,000 jobs could be created in an area as small as the one I come from. That would have a massive effect.

What the Government is planning will drive my neighbours, friends and relations to leave my town and my county. If the Government's figures are to be believed, nearly 30,000 people have left the country since it came to office.

Deputy Catherine Murphy: The Minister himself described the jobs initiative as modest. It is no surprise, therefore, that the Bill is a technical one, reflecting the jobs initiative. That is the difficulty with regard to it.

The Minister has set out a number of areas where jobs might be provided. The tax credit for research and development is, in itself, a good initiative but it will not, necessarily, provide huge numbers of jobs. Research and development is a small section of any industry and manufacturing is not always carried out in the place where research and development happens. The

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number of jobs to be created by this measure should be quantified and the Bill should require an actual return on the tax credit from the companies that will benefit from it.

The reduction in VAT and the abolition of the air travel tax will have a positive effect on the tourism industry but the effect will be small. The primary reason why American and British people do not come to Ireland is they find the eurozone too expensive. The problem is not with Ireland but with the eurozone. They go to countries like Turkey where they feel they get value for money. Poor value for money in the eurozone and reduced income are the two reasons British and American people are not holidaying in Ireland. The UK and US economies are not doing particularly well, although not as badly as ours. As a consequence, British and American people holiday where they get value for money.

Our 12.5% corporation tax rate is seen by some countries as an unfair advantage. Is it not interesting that the same is not said about the effect of currency devaluation by countries that are in the EU but not in the eurozone, which gives them a competitive advantage?

I am concerned about halving the rate of employer's PRSI until 2013 for incomes up to €356 per week. The minimum wage is €337 per week. This measure will mean €356 will become a maximum wage. I am concerned that jobs will not be offered above that rate. This threshold is much too low and should be increased.

Construction is the sector that has lost most jobs, yet home insulation has not been targeted. In fact, grants for woodchip boilers, heat-pumps and air-space heating have been abolished and the grant for solar initiatives has been reduced from €1,800 to €800. The greener homes scheme has been abolished and all contractors must re-apply to be included in the better homes scheme. We had something ready to go but difficulties have been created by these changes.

How will the initiative be funded? The Bill is ambiguous in this regard. We are told it will be funded by the pension levy but not who will pay. Trustees of pension funds are accountable to their shareholders and will see their shareholders as more prized than savers. People who are paying towards their retirement will pay, if the choice is left to the market. At the very least, we should make it clear the levy must be paid out of the fees charged and not by savers.

Much of the pension reserve fund has been flushed away. We will face a major problem in 2025. This is the next big problem coming down the tracks and we will have to face it as soon as we have got through the current problem. There must be a commitment to a root and branch assessment of the pensions issue. The people who are stuck in Ireland in negative equity and with big mortgages are the very people who, when we reach this threshold in 2025 and just when they have got their heads above water, will be asked to pay. A major review of the pension system must happen. Otherwise we will have a serious problem.

Deputy Richard Boyd Barrett: The centrepiece of the Bill is the pension levy. It is outrageous and economically stupid that we should attack the pensions savings of 750,000 workers and 65,000 pensioners, who are already struggling under the impact of the current crisis, and that this attack should take place to fund a jobs initiative that will do next to nothing to deal with the unemployment crisis and may significantly worsen it.

Like their Fianna Fáil predecessors, there is no low to which the Government will not sink to protect bankers and bondholders who caused the crisis and to protect the super-wealthy in our society. I would like to have asked the following questions of the other Minister at the Department of Finance, Deputy Howlin, but I will ask the Minister for Finance. Why is it okay to attack pensioners and the pensions savings of ordinary working people but not to repudiate the debts of bankers and bondholders? Why will the EU-IMF allow one but insist the other is not on the agenda? Why is it not okay to impose wealth taxes on multimillionaires and billion-

aires or to put higher taxes on people who earn more than €100,000 per year, which is more than enough to live and survive on? Why is it okay that approved retirement funds, one of which Seánie Fitzpatrick, for example, has, will not be touched by these measures? It is extraordinary and outrageous that this Finance Bill will, yet again, attack the poor to protect the rich and those who caused the current economic crisis. Why will the Government not take something from the super-wealthy, bankers and bondholders? Why does it insist on hitting the poor, working people and pensioners again and again?

This theft of pensioners and ordinary workers is being carried out to fund a jobs initiative that is a joke. The amount of money the Government is putting into roads, schools and retrofit is pathetic. Roads will probably receive less than was just spent on the Obama and Queen Elizabeth visits. Is that not just appalling, even if we cannot get a straight answer on how much those visits cost? Is it not sickening to think the new investment programme in schools under this jobs initiative may be less than we have just spent on the jamboree that has taken place in this country over the past week?

The reductions in PRSI are not contained in this Bill but are part of the same jobs initiative. They apply to employers who employ workers earning €356 or less, which is essentially an incentive, probably a deliberate one, to create a low wage economy and to pin down wages further and depress demand, which will accelerate the downward spiral in the economy.

With regard to the focus on tourism in the Bill, while of course all of us would welcome measures that boost the tourism sector, the Minister should examine the experience of IMF intervention elsewhere, particularly in the developing world, where it has imposed structural adjustment like that it is imposing on us, adjustment that has devastated the indigenous economy and impoverished the local people. What is left for those people when the IMF does that? Tourism is what is left. Impoverished, immiserated people are left begging for the tourist dollar, which seems to be the direction we are heading. The IMF-EU package will cripple our economy and all that will be left is to beg for the tourist dollar. When one cannot walk around a corner in Dublin without seeing somebody begging for the tourist dollar, one might get some sort of vision of where the Government's current economic strategy for the whole country is going. Of course, all of these paltry, pathetic and in some cases counterproductive measures also take place against a background of the slow, or not so slow, attrition of jobs as a result of the public sector recruitment embargo, which is throwing more of a burden onto our social welfare system, week in, week out, month in, month out, as more jobs are lost.

There is an alternative. The Minister often challenges those on this side of the House, telling us we are all very good at criticism but asking what is our alternative. There is an alternative and it is implicit in what I have said. Why do we not introduce a 5% emergency wealth tax, even on a short-term basis, on the assets over €1 million, excluding the family home, of the super-wealthy in our society? There are wealth taxes in France and in other countries in Europe. Given the hit everyone else is taking, including ordinary workers and pensioners, why can we not impose a wealth tax on the super-wealthy in this country who, we have discovered yet again in the past few weeks with the publication of the latest rich list, are even richer than they were before? Why can we not also establish new higher taxes on people earning over €100,000 a year? If we did that, we could marshal considerably more resources than will be marshalled from this pathetic Bill to invest in a real jobs programme.

What a real jobs programme would involve is as follows. There would be big investments in public works programmes to develop vital infrastructure such as a water system, schools, hospitals, local amenities and public services. It would involve public investment in strategic industries in areas such as wind, wave and tidal power, generic medicines, IT, recycling and more traditional industries and developing the food sector — we could develop all sorts of

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areas. It would involve not selling our State assets or our natural resources and developing these for employment and other economic and social goals. It would involve a massive curtailment of the costly and completely inefficient outsourcing practices and use of consultants by local authorities and the State, moving instead to the more efficient and employment-beneficial direct employment of people in those programmes.

Finally, will the Minister consider introducing differential rates for small and medium businesses so the big, profitable companies pay more in rates and so small, struggling businesses get a break in regard to rates, which might help deal with the apocalypse that small businesses in this country are facing?

Deputy Dara Murphy: I wish to share time with Deputy Peter Mathews.

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

Deputy Dara Murphy: This is a very important Bill that has been brought to the House just two months after the new Government was put in place. It is important to stress that Governments do not create jobs. They can create targets for job creation over the term of a Government but they do not necessarily create specific jobs through the creation of proposals. All a Government can do is to create the environment in which other people can create jobs. It is the case that we have been through 14 years where the outgoing Government did not bother with that objective and failed to deliver imaginative proposals that would allow the people of our country, who have traditionally proven themselves to be extremely innovative, to create work for themselves and for others. What we are seeing today is a small step towards turning our country around and delivering a new environment for the people to create employment.

Many Opposition speakers referred to a very broad range of the issues that face the country whereas the Bill is targeted and specific legislation aimed at addressing a number of the proposals announced in the jobs initiative some weeks ago. Deputy Higgins referred to T.S. Eliot's poem, "The Hollow Men". It is an appropriate poem because hollow vessels create the most noise but they are also empty. From all those in opposition, including Fianna Fáil, we have not heard alternative ways of bringing in the necessary funding of €1.9 billion that will give rise to this new employment and allow these initiatives to progress.

We must acknowledge and take on board that our hospitality and services industry is, in line with the building industry, one of the key areas that has been very hard hit in recent times through unemployment. I have been contacted by a person who has two restaurants in Cork and who told me the proposals included in the Bill will allow him the very modest potential to employ two more people in each restaurant. With regard to hairdressing, if Members were from my part of the world, they would be aware of Mick Moriarty, who is known as the baldy barber. He has said for years that we must stimulate small businesses and remove from them the burden of higher VAT rates in order that they can pass the benefits on to the people in their communities and, consequently, that they will be in a position to employ. These measures work.

What we have heard today from the Opposition is a complete misunderstanding of how economics works. The reductions in VAT rates, and the future PRSI reduction that is planned, are marginal reductions. We are looking at an economy that we hope will grow by 0.8% this year and we hope to increase that growth over the coming years to 3%. This happens in any economy, even a small economy such as ours, through marginal improvements and through measures such as reducing or abolishing the travel tax. To suggest it is trivial that one family sitting in England will look at a reduction of €10 and decide to visit Ireland, as was suggested today, shows no understanding of how economics works. I will tell Members——

Deputy Richard Boyd Barrett: It does not work.

Deputy Dara Murphy: —how economics has not worked in our country — it was by making our economy an expensive place to do business and sell our products abroad. All over Ireland we are competing with other destinations. Such marginal reductions in how our costs are passed on to people will indeed be of benefit to us over time.

There is a type of balance between the proposals we have today in that they address the cost of travel to our country for people coming from abroad by means of the travel tax reduction. Equally, most of the industries that can benefit from our lower VAT rate and reduced PRSI, when the latter is introduced, are in sectors where both people who travel to this country and our own people can benefit. They include the hospitality and hotel industries and other services that people can purchase. As was stated, this is a step in the right direction. If we marry that to what happened with the visit last week of the Queen of England and that yesterday of President Barack Obama it will point to a sense within the country of stopping the domino effect of negative after negative; of at least trying to push the dominoes back in the other direction. This has been a successful period in this country and there is no doubt the direction in which the country is being sailed by Captain Kenny, as the Taoiseach has been termed, is one in which all of us can have great confidence. We can have great optimism in that future.

I came from Cork City Council. Many Members of the Dáil have served on local authorities. When we do our annual budgets they must be revenue-neutral. One of the new experiences, indeed, the reality all Members face is that when measures are introduced that incur a cost they must also provide from where that cost will come. That is how local authorities function. When I chaired our budget meeting last year one of the standing orders of the council was such that if a member stood up with a proposal as to how we would spend money he or she had to marry it with the method of saving the money concerned. We have not heard that plan in the Chamber today, particularly not from Fianna Fáil, all of whose members focused on where money would come from and on their concerns and criticisms regarding the levy on the pension industry. There was not one suggestion from Fianna Fáil as to what savings and incentives could be put in place to get our people back to work.

We need to get a sense of creativity, determination and of leading the people and this is coming from the Government. In criticising, the Opposition, particularly those parties that regard themselves as serious, will have to state what they would do.

Deputy Richard Boyd Barrett: I gave three suggestions.

Deputy Dara Murphy: We cannot come up with nonsensical suggestions such as raising taxes which would put further pressure on the people and reduce the potential we have as a country to go forward and create growth.

Deputy John Halligan: Tax the multimillionaires. That is creative.

Deputy Dara Murphy: The Government has been in place two months. I commend the Minister for Finance, Deputy Noonan, and his team for introducing these measures. Nobody suggests this jobs initiative will put in place in one go all the proposals, dreams and aspirations we have for our people. However, it is certainly a start, one that was long overdue.

Deputy Peter Mathews: After the week that was in it our challenge is to encourage one another. We were encouraged by our visitors and responded with warmth and welcome.

Second Stage of this Finance Bill is one part of the jigsaw of reconstruction. In this country we are finding our voice. We are at the Sexton half-time stage, a rallying call, but let us base

[Deputy Peter Mathews.]

it on realism and start with the real picture. This Finance Bill is one part of the jigsaw from which we must build. However, the picture is stark. I say as much and will not pull my punches or lower my voice. Our country is getting out of a mess of €100 billion of bank losses that have smothered and buried the households and people of this country. It behoves us to face up to the people who have provided interim financing, on shaky grounds, for the balance sheets of our banks that need structural repair. We are getting to that repair slowly but we need to focus our story on the people who provided the banks with that €100 billion, all mixed up in the funding which came from the ECB and our Central Bank. Our European partners have to understand our story. They have been bewildered by a long saga of confusion for the past two and a half years and are only beginning to see the picture out of the fog.

Reference was made by various contributors to the younger people who are emigrating. I commend everybody's contribution today. I made notes on every one and I acknowledge all that has been said. However, we must explain clearly that the story which was told for the past two years was unreliable. We must say to ourselves that although it is a tragedy that young people are emigrating at present, still they escape to some degree because they are not smothered in debt. It is the families, households and businesses which are struggling that are smothered by debt. They are that way because the banks are smothered in debt as a result of the huge losses they made.

The challenge, therefore, is to continue to request of our banks' creditors at the ECB and of the remaining outstanding bondholders for a write down of that debt. I suggest that of the figure of €50 billion in amounts owed to the ECB the majority of those loans had a provenance in or derived from funding the repayment and redemption in full of the senior bondholders to last year. The figure of €50 billion might be the starting point for a write down of the amounts owed to the ECB, with €25 billion for the amounts outstanding to senior bondholders of our Irish-owned banks. This amount of write-down could, in turn, be cascaded back to businesses and households in Ireland, relieving them of debt.

7 o'clock

Debate adjourned.

Private Members' Business

Agriculture: Motion

Deputy Michael Moynihan: I move:

“That Dáil Éireann:

notes the potential and importance of agriculture to the Irish economy and in particular to support the implementation of Food Harvest 2020 and recognises that:

- agriculture and the agri-food sector is Ireland's most important indigenous industry and will play a central part in job creation and our export led recovery;
- the agriculture industry in Ireland has an annual output of approximately €22 billion accounting for more than 6% of GDP;
- industry exports are currently almost €8 billion on an annual basis with food and drink exports going to more than 160 countries;
- a total of more than 139,000 people are employed in the production of agri-food and fisheries products, which is approximately 7.5% of national employment;

- this sector supports 128,000 family farms and 600 food and drinks firms;
- a number of countries in Europe, including Ireland, narrowly missed exceeding their milk quota this year while other countries in Europe were 30% under quota this year;
- a political solution must be found to allow the expansion of the dairy industry pre-2015; and
- Irish interests must be protected in discussions on the Common Agricultural Policy, CAP, post 2013 and in the Mercado Común del Sur, Mercosur, talks;

and calls on the Government to:

- negotiate a Europe wide quota rather than a national quota to allow for the orderly expansion of the dairy industry in Ireland between now and the ending of milk quotas in 2015;
- negotiate changes to the superlevy system so that the levy is only applied where the farmer, the co-op, the country and Europe has exceeded the quota;
- adopt a strong and unequivocal stance at the Mercosur talks to ensure the protection of the Irish beef industry;
- ensure the protection and continuation of a strong decoupled direct payments system in negotiations on the CAP post 2013;
- maintain the Agri-Environment Options Scheme as a major support for environmental farming;
- recognise the importance of the western counties to farming and provide greater support to small and medium sized farms;
- pursue the development of food labelling and traceability;
- ensure that State agencies actively support the further development of the indigenous agri-food sector; and
- enact the fair trade legislation as committed to in the Programme for Government banning unfair trading practices in the retail sector.”

I wish to share time with Deputies Charlie McConalogue and Robert Troy with the agreement of the House.

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

Deputy Michael Moynihan: The seriousness of the motion is clear. Agriculture is one of the most important industries and this is why this is one of the first motions we have brought forward under Private Members' time. It is important to hold a discussion on the importance of agriculture and the agriculture industry to the country and to the issues facing them. The motion before the House is the basis of the future of the industry. Many commentators have examined agricultural issues throughout the years. It remains one of the basic, fundamental industries throughout the country, especially in remote and peripheral regions. By and large, many of the policies we pursue in the Department are based on the Common Agricultural Policy and European policy. Following is an extract from Article 33 of the Treaty of the European Union dealing with the Common Agriculture Policy. The aim of the policy is:

[Deputy Michael Moynihan.]

(a) to increase agricultural productivity by promoting technical progress and by ensuring the rational development of agricultural production and the optimum utilisation of the factors of production, in particular labour;

(b) thus to ensure a fair standard of living for the agricultural community, in particular by increasing the individual earnings of persons engaged in agriculture;

(c) to stabilise markets;

(d) to assure the availability of supplies;

(e) to ensure that supplies reach consumers at reasonable prices.

This is the basis of the Common Agricultural Policy and the basis on which we have developed our agricultural industry since we joined the European Union and the common market in the early 1970s.

Let us consider the elements sector by sector. The basis for future policy in the dairy industry is the Food Harvest 2020 report. This is one of the best documents produced by any Government or Department in recent years. It outlines a blueprint for what is necessary for the agriculture industry to achieve viability and to ensure a future for agri-based industry. The dairy industry is at a crossroads. We face the abolition of quotas in 2015 and the expansion of the targets set out in the 2020 vision. Quotas were first introduced in 1984. During the past 25 years the dairy industry has worked and has tried to develop within this framework and within the constraints of the quotas. The dairy industry has rationalised at farm gate and at processor levels. However, it is now at a crossroads. In the period between now and 2015 serious issues will arise for dairy farmers in respect of staying within allocated milk quotas. This must be examined at a European level.

There must be a soft landing for the dairy industry. We barely escaped the super-levy regime for milk quotas on 31 March this year. Given the machinery in place in the dairy industry at the moment, especially at farm gate level, and the number of dairy cattle coming on stream serious issues will arise. Farmers are trying to adjust but it is remarkably difficult. Negotiations have taken place at Europe level. There should be a Europe-wide quota, not simply national, farmer or co-operative quotas. I realise the Department is examining this matter but I insist on the need to ensure capacity in the dairy industry now, in May 2011, and to ensure future capacity as well.

Let us consider the statistics. One in every ten gallons of milk consumed in the world is produced in Ireland. We have a significant product which goes throughout the globe and which is exported to all parts. The dairy industry and processors should be commended on this. A report written in 1990 recommended the need for only three processors in the country to ensure the dairy industry was properly serviced. I disagree with that fundamentally. Were there only three processors there would be a monopoly. We saw what this did to the beef industry in recent years when competition was taken out of the market and we did not ensure that the proper price was paid at the farm gate for those working the hardest to provide the industry.

Let us consider the beef industry. The Food Harvest 2020 report stated the need to expand the industry. There is also a need to ensure ready-made markets. For too long during the past 15 years, especially since the BSE crisis in 1996, there have been significant fluctuations year on year in the price farmers received for beef and in the value they have received. I recall the difficulties last year whereby our nearest neighbour received between €150 and €200 per head of cattle. We must examine the whole industry and ensure a vibrant industry. The difficulty in

many peripheral regions is that the beef industry, especially the suckler industry, has replaced the dairy industry. We must ensure the industry is examined in a serious way, that targets are met, that value for money is attained and that the price given to the farmer at the farm gate is realistic and acceptable.

I have met several hill sheep farmer groups, organisations and individuals in recent weeks. Although there is buoyancy in the market at the moment they raised serious concerns. Many people in remote and peripheral regions have said to us that they will be the last generation of people farming in these regions. This an indictment not only of national policy but of European policy as well. People who have worked on the hills and provided an income for their families for generations have stated clearly and absolutely that because of the difficulties experienced they will be the last generation of people to farm these regions. We must examine this in a serious way.

We have seen the development of forestry in recent years and the income it has provided, through various premiums, for people who planted between 20 and 24 years ago. Now, for the first time, they are receiving a return and a price on the products they sell from thinning and so forth. We must continue to encourage this.

We acknowledge the Food Harvest 2020 report. We must acknowledge as well the great part agriculture will play to ensure an export-led economy and to ensure exports continue. It is vital that while we seek to increase the production on better lands in the country we must not ignore disadvantaged areas, including western counties and traditional areas where farming was difficult.

We have seen the dairy industry move from west to east. The co-operative society started 100 years ago in the western counties but because of development it has moved to the east. We must be mindful that any policy introduced by this Government or the European Union allows for the maintenance of the western counties. During the debate on the Finance (No. 2) Bill it was stated that when these regions are depopulated they enjoy greater tourism but there is already a vibrant economic sector in place there and we must make sure the policies we pursue will allow farming to continue in these communities.

Our future lies at the European level, with the MERCOSUR talks and Europe-wide milk quotas, but Europe did not always get agricultural policy right. There have been difficulties with its stance on the beet industry and Greencore, and the policy it pursued a few short years ago on rationalisation of that industry led to a shortage of sugar within the EU. The policy that was pursued was not correct. We must ensure that the policies accepted by the Government and Oireachtas are for the betterment of Irish agriculture and that we fight tooth and nail for it.

Any farmer in any agricultural product, be it grain, dairy, beef or sheep, will say that there is too much red tape and bureaucracy in the industry. When the inspectors arrive for cross-farm or other inspections, there is a sense that the farmer is a criminal who must then prove he has everything in order. The vast majority of Irish farmers have complied with all regulations. Farmers believe they are the custodians of the land for the next generation and have always farmed it with the environment and maintenance of the countryside in mind.

The duplication of regulations, however, gives rise to a sense that we introduce directives and then gold-plate them, instead of making them simpler. Some of the systems with the Department have proved beneficial to farmers and simple to work with but other sectors have caused huge difficulty for small to medium-sized farmers and larger farmers. Over the years, there was an overzealous aspect to inspections, with no leniency for minor infractions. There must be a common sense approach from the Department staff when they arrive on the farm and see the farmers are making genuine efforts to comply with the various regulations.

[Deputy Michael Moynihan.]

Last week, the leading farming organisation was raided under competition legislation because it was trying to protect prices for producers. Fair trade legislation is long overdue. We have seen the power of the multiples to drive their profits at all costs, with hello money, particularly when negotiating contracts with vegetable growers. Those multiples have never detailed their profits in Ireland because they have driven the amounts they pay the primary producer into the ground. It behoves all of us to ensure the fair trade legislation that has been promised for so long will be brought before the House as soon as possible. For too long this has been discussed while the farming community has been waiting for a time when multiples do not enjoy such power to drive prices down.

We are one of the largest exporters of sheep meat in the world, and 89% of beef and one in ten gallons of world milk supply are produced here. The establishment of Bord Bia and the Irish Dairy Board have been hugely successful ventures by the Government in recent years to get our produce on to the market. Kerrygold was an earlier initiative that proved hugely beneficial, and is still proving that today. There is no doubt that we produce the best quality agricultural produce in every sector. We should be proud to say that, and it was acknowledged last week. We must unashamedly say that our farmers comply with the strictest of regulations while implementing best practice in food production. We have the best product available and every ambassador for this country should signal that. We must ensure the best possible routes to market are available.

Systems have been developed over the years by the Irish Dairy Board but there is duplication because some milk processors are getting to market. There will be huge expansion of our agriculture industry in the next ten to 15 years but we must streamline and look at the way we have marketed our produce. We should incentivise this at national and European level to ensure we can sell the product.

We are basing this motion on the Harvest 2020 document produced by the former Minister for Agriculture, Fisheries and Food, Deputy Brendan Smith. It is an excellent document and there is huge scope for growth in the agricultural sector. We have an outstanding product and must reduce red tape across the sector. We must fight at European level for the quota system and at the MERCOSUR talks to protect the beef industry. We must make certain farmers who live and work in peripheral regions are not the last generation of farmers in those areas, that they have a future because if we do not provide a future for those people, we will turn it into a wilderness.

We must ensure there are no monopolies. We saw what happened with the monopoly in the beef industry in the last 20 years and the consequences it had for beef farmers. We must ensure the fair trade legislation is introduced. What I consider to be the nonsense of the Competition Authority in terms of farming organisations should not be before us and we should ensure the organisations have the right to negotiate on behalf of farmers and the Bill should be introduced as soon as possible. I commend the motion to the House.

Deputy Robert Troy: I am pleased to have the opportunity to speak on this important issue. I commend the Minister for Agriculture, Fisheries and Food and the Government on their support for this motion. I represent a rural constituency and anyone who represents such a constituency will understand the importance of the agricultural sector for the economy as a whole and not just for rural Ireland. The agrifood and fisheries sectors represent the largest indigenous industry which collectively employs 150,000 people with an annual output of more than €24 billion. This represents 60% of the manufacturing exports by indigenous firms. With a total of €7 billion in exports, the sector accounts for more than half the manufacturing exports by Irish owned firms and serves in excess of 160 export destinations. While there may be

difficulties, as in every industry, the future is one of real opportunity. Fianna Fáil, when in government, produced Food Harvest 2020 as a roadmap strategy for agriculture up to the year 2020. There is no doubt this is an ambitious plan but one which can be implemented.

I refer to the main points of Food Harvest 2020 as planned by the former Minister for Agriculture, Fisheries and Food, Deputy Brendan Smith. I welcome the Government's commitment in the programme for Government to the implementation of the plan. Food Harvest 2020 proposes an increase in milk production by 50%, an increase in the value of beef output by 20% and potential for a 20% increase in output in the sheep sector. It proposes that horticulture currently worth €370 million be enhanced in value by a reduction in imports, that organic production should continue to be supported by the Department of Agriculture, Fisheries and Food, and that pigmeat production could be increased by 50% in value if worldwide pork consumption continues to grow and cost issues are addressed. Ireland is only 80% self-sufficient in cereals so there is room for expansion in this regard.

If Food Harvest 2020 is to be achieved, the Department needs to look at how best to encourage more people into this sector. Typically, one is born into farming but since the suspension of the farm retirement scheme and the installation aid scheme, the same incentives are not present for fathers to pass over to sons and daughters. I encourage the new Minister for Finance to consider taxation measures to encourage the transfer of farms from one generation to the next, whether that be from father to child or from uncle to nephew or even older generation neighbour to a new, younger generation of farmer. This needs to happen to ensure a new generation is willing to embrace change and make the necessary investments in their business to ensure viable family farms.

Given the current trends in milk production in this country, I do not believe there will be any difficulty in us achieving the targets set down in Food Harvest 2020, which is a 2.75 billion litres increase and which will enhance the primary output value of the sector by almost €700 million, with further benefits in the form of increased dairy product values, export earnings and employment. We must be careful, however, not to exceed our current milk quota prior to the phasing out of same by 2015, as this would have serious consequences.

The current situation in Europe is farcical. A number of countries are well below their quota while others, like Ireland, are almost at their quota and those who exceed their quota, as was the case with Denmark, the Netherlands, Cyprus in 2009 to 2010, are subject to superlevy fines of €19 million. Given the quota system is to be phased out by 2015, the Minister should negotiate a European-wide quota which would allow for an orderly expansion of our dairy sector.

It is also important to ensure dairy farmers receive a fair price for their milk. Most milk in Ireland is now traded through supermarkets, thus creating a highly concentrated market and giving the power to the supermarkets. I encourage the Minister to deal with this situation to ensure dairy farmers consistently receive a fair price for their milk.

The Government needs to exercise extreme caution with regard to the Mercosur talks. Fianna Fáil's position is that it makes no environmental sense for the EU to allow its production to be displaced by less sustainable systems such as those operating in South America. The beef quota sought by Mercosur countries would certainly target the market for high value fresh and frozen beef. It would undermine Ireland's beef industry and it is not acceptable. Not only would a deal contradict the EU policy on climate change, it would also go against targets set under Food Harvest 2020. In April 2011 the Russian authorities took a decision to ban Brazilian beef from 27 plants following a two week inspection. This once again puts a question mark over production standards in Brazil. According to John Bryan of the IFA, these damning findings confirm the evidence of the lack of standards in Brazil as found in the IFA and *Irish Farmers' Journal* missions in 2006 and 2007. There must be a full reappraisal of the EU policy

[Deputy Robert Troy.]

on meat imports and the controls in operation in third countries. The EU sell-out of agriculture in Mercosur must be stopped now.

Fianna Fáil has always been consistent and resolute in advocating the absolute necessity of a strong and fully funded Common Agricultural Policy and it will continue to do so. The Common Agricultural Policy will provide the main policy framework for development of the primary agriculture and agri-food industries in Ireland and in the EU to 2020 and beyond, hence its great importance. As an economic driver, its importance and continued financial support cannot and must not be under-estimated. Last year alone, the single farm payment was worth €1.23 billion to Irish farmers. While formal negotiations on CAP reform have yet to begin, the Government's priority must be to defend the direct payments to Irish farmers which protect their incomes, to continue decoupling payments, to ensure adequate measures are in place to support the market in times of crisis, to maintain a strong rural development programme with an increased focus on active farmers, to support competitiveness and sustainability, and to reward farmers for the public goods they produce. A future Common Agricultural Policy must include a direct payment system which provides a fair share of funding and support to ensure the viability of Irish farming.

I refer to the buying power of large supermarket chains and the need for governments to ensure farmers and food producers get a fair price for their products. I encourage the Government to fast-track its commitment in the programme for Government to bring forward the fair trade Bill. While in power, Fianna Fáil was committed to implementing a code of practice for doing business with the grocery sector. Legislation is needed to ensure any codes of practice in governing the relationship between the retailers and suppliers is mandatory.

The dairy farmers' share of the retail price of liquid milk has fallen from 42% in 1996 to 26% in 2009. This shows clearly the exploitation of milk producers by large supermarkets. The fair trade Bill will also ban a number of unfair trading practices in the retail sector, such as so-called hello money which suppliers must pay to secure a place for their goods on supermarket shelves. I encourage the new Government to ensure this Bill is fast-tracked and I ask the Minister to consider bringing it before the House before the summer recess.

A recent Teagasc survey found that the average farm income increased by 48% in 2010. This brings the average income for the farming sector to €18,000. While this is welcome news, it simply represents a recovery in the sector and brings incomes back in line with those recorded in 2008. I encourage the Department and the Minister to do all in their power to seek further improvements in family farm incomes.

Deputy Charlie McConalogue: I commend my party Front Bench colleague, Deputy Michael Moynihan, on bringing forward this motion. It is appropriate that Fianna Fáil has tabled its second Private Members' motion on the subject of agriculture which is so important to our economy and to the fabric and culture of our country. It also will be a key player in our economic recovery over the coming years. When the rest of the economy has been shrinking, agriculture has led the resurgence in recent years. The improved output, recovering incomes and generation of exports in the sector have been key drivers in sustaining our pressurised economy at a challenging time. Ireland's agri-food industry is the largest Irish-owned productive sector in our economy. It accounts for more than 60% of exports from Irish-owned manufacturing. Agriculture is deeply rooted in our economy, particularly in rural Ireland, which is where 38% of all households are located. One in four rural households are farm households. It is estimated that approximately 250,000 people are employed in agriculture, the agri-food industry and related service industries. This represents 20% of the workforce outside the Dublin area.

The motion before the House seeks to give priority to sustaining and developing Ireland's agriculture sector and thereby ensuring that the maximum possible number of farmers and families can make a sustainable living from the industry. Farm incomes fell by 40% between 2007 and 2009. The average farm income was €20,000 in 2007 but decreased to €12,000 within two years. In 2010, there was a significant recovery and national farm incomes were estimated to have increased by 33% on the previous year. Farming remains a low-income sector, however. The average farm income is estimated to be €16,500, or 50% of the 2010 average industrial wage. Although the outlook for producer prices remains positive in 2010, input costs are rising rapidly. Increases in feed, fertiliser and energy costs are undermining the profitability of farming.

Everyone in the farming sector is indebted to the research work conducted by Teagasc over recent years. It has done some particularly good work to monitor farm incomes. It has examined how the farming sector and farm families have fared by comparison with other sectors of the economy. The 2009 Teagasc farm income survey compared the incomes of farm families and those of private and public sector workers. In 2009, the average public sector income was just over €49,000 and the average industrial income was over €40,000. In the same year, the average farm family income across all farms was just under €12,000 and the average income of the 30% of farmers who are full-time farmers was just over €24,000. That is an indication of the difficulties experienced by farm families in recent years.

Some 20 or 30 years ago, farming could sustain, educate and provide a reasonable quality of living to families, compared to the general standard of living in the country at the time. In more recent times farm families have been under serious pressure. The number of farmers availing of the farm assist scheme, which was established in 1999, was consistently just under 8,000 from 2005 until 2008. It is estimated that it will have increased to just under 11,000 this year. The increase in that figure over the past year or two came at a time when farm incomes were recovering. It reflects what has been happening in the wider economy. The incidence of off-farm employment among farmers or their spouses had increased in the past decade but has mirrored other job loss trends in the country since 2008. The percentage of farmers and spouses with off-farm income and employment decreased from 41% in 2007 to 35% in 2009. Similarly, the percentage of farmers with a spouse with an off-farm job decreased from 58% in 2007 to 53% in 2009.

I will comment on the development of farming over the 15 years since the benchmark year of 1995. There has been a gradual decrease in the value of farming and farm incomes since that year. The average farm income in 2009, which was a particularly difficult year for farming due to the poor weather, was 48% of the average farm income in 1995. Ireland's total farm income was almost €2.5 billion in 1995, but that figure had fallen to just over €1.5 billion in 2009. In real terms, it equated to a decrease of 48% by 2009, although increased incomes meant the figure in question had improved to 64% by 2010. Last year's improvement, which was a reflection of the weather in 2010, was welcome at a time when the rest of the economy was finding things difficult.

I have spoken about where farming has come from. It has been a very demoralising time for those who have stuck with farming over the years. Farming is diminishing as a viable professional option for young families. However, there has been some cause for hope in recent years. I refer to the advent of renewable energy and renewable energy crops. The increase in the amount of land in the US and elsewhere being used to grow renewable energy crops and the worldwide improvement in prices, is an example. In the past year or so, some South American price levels were similar to those in Ireland. At one stage, the price of a kilogram of South American beef was close to what the Irish level would be, which was a big change. Historically, European beef prices have tended to be higher. Beef is a particularly big aspect

[Deputy Charlie McConalogue.]

of the diet of Argentinian people. I understand they consume half a pound of beef each day, on average. The equivalent figure for Irish people is a fraction of that. The Argentinian Government had to impose an export tax on Argentinian beef for a while to try to keep prices down in the domestic economy.

I have set out the background to the motion we have proposed. We are keen to ensure agriculture is prioritised over the term of this Government. The Fianna Fáil Governments of recent years were committed to agriculture. Historically, my party has tried to ensure farming has been promoted and protected. It has been keen to sustain as many farm families and jobs as possible in the countryside. I accept that Fianna Fáil is not unique in that. The promotion of agriculture has been a mainstay of what we have stood for over the years. I suggest that our national economic policy should reflect that in the years to come.

This Private Members' motion calls on the Government to prioritise a number of things during its term of office. We are asking the Government to “negotiate a Europe wide [milk] quota rather than a national quota to allow for the orderly expansion of the dairy industry in Ireland between now and the ending of milk quotas in 2015”. We want the Government to “negotiate changes to the superlevy system so that the levy is only applied where the farmer, the co-op, the country and Europe has exceeded the quota”. During the 2003 CAP reform process, it was decided that milk quotas would be phased out from 1 April 2015. As part of the CAP health check, the Commission proposed to increase quotas by 1% per annum from 2009 onwards. Given that Ireland came in slightly under its quota for the 2010-11 milk quota year, and in view of the increased production of the Irish dairy industry, it is only fair and rational that we push for the introduction of a European wide quota system to replace the national quota system currently in place. This would allow for the orderly expansion of the dairy industry in preparation for what will happen in 2015. Many European countries are significantly under quota whereas Irish farmers have the capacity to increase production. It does not make sense to wait until 2015 to allow our farmers to do so when spare capacity is available elsewhere in Europe.

I call on the Minister to ensure the interests of Irish agriculture, specifically the beef sector, are protected at the Mercosur negotiations. These talks pose a major threat to much of the work done in recent years to protect the beef sector from imports of South American beef which is not produced to the same standard as Irish beef. It is critical, therefore, that the Minister ensures our interests are protected at the talks. He should not be afraid to use the veto, although I hope that will not be necessary.

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I move amendment No. 1:

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

“notes the potential and importance of the agriculture, fisheries and food industry to the Irish economy and in particular to support the implementation of Food Harvest 2020 and recognises that:

- agriculture and the agri-food sector is Ireland’s most important indigenous industry and will play a central part in job creation and our export led recovery;
- the agriculture industry in Ireland has an annual output of approximately €22 billion accounting for more than 6% of GDP;

- industry exports are currently almost €8 billion on an annual basis with food and drink exports going to more than 160 countries;
- a total of more than 139,000 people are employed in the production of agri-food and fisheries products, which is approximately 7.5% of national employment;
- this sector supports 128,000 family farms and 600 food and drinks firms;
- a number of countries in Europe, including Ireland, narrowly missed exceeding their milk quota this year while other countries in Europe were 30% under quota this year;
- a political solution must be found to allow the expansion of the dairy industry pre-2015;
- Irish interests must be protected in discussions on the Common Agricultural Policy (CAP) post-2013 and in the Mercado Común del Sur (Mercosur) talks; and
- a comprehensive expenditure review is currently under way in the Department of Agriculture, Fisheries and Food; and

calls on the Government to:

- negotiate at an EU level to allow for the orderly expansion of the dairy industry in Ireland between now and the ending of milk quotas in 2015;
- adopt a strong and unequivocal stance at the Mercosur talks to ensure the protection of the Irish beef industry;
- ensure the protection and continuation of a strong decoupled direct payments system in negotiations on the CAP post-2013;
- maintain the Agri-Environment Options Scheme as a major support for environmental farming;
- recognise the importance of western counties and disadvantaged areas to farming and rural life and the need for continued support for small and medium-sized farms;
- pursue the development of food labelling and traceability;
- ensure that State agencies actively support the further development of the indigenous agri-food sector; and
- enact the fair trade legislation as committed to in the Programme for Government banning unfair trading practices in the retail sector.”

I will share time with Deputies Mulherin, Naughten and Heydon.

I thank Deputy Moynihan and the Fianna Fáil Party for tabling the motion. It is a welcome departure that an Opposition party has worded a motion in a manner that seeks to secure agreement rather than score political points. I have responded with an amendment that recognises this development. While we seek minor changes for accuracy purposes — I have spoken to Deputy Moynihan about the issues in question — the amendment is based on the motion. It proposes four changes to make the motion more complete and sensible in terms of what we are trying to achieve from a political perspective, particularly with regard to the European Union.

[Deputy Simon Coveney.]

I welcome this opportunity to outline the good news story the food sector can become in the next five years. Despite the extraordinary budgetary pressures faced by the Government which will force us to steer through difficult measures in the Estimates and budgetary processes, the agri-food, agriculture and fisheries sectors can expand in an exciting manner in the coming years.

Deputy Troy spoke about the need to incentivise the transfer of land and farm businesses from father to son and father to daughter. The best means of doing this is to offer young farmers an exciting future. This is the reason the number of young people applying to agricultural college has increased by 80% in the past three years — 28% in past year alone. At a time when young people see their options narrowing in other areas of the economy, their options in agriculture are growing in an exciting manner.

The Food Harvest 2020 document drawn up by the previous Government was one of the best things it did. My job is to use the report as a blueprint for the development of the food industry as a whole rather than its constituent parts. The agriculture and fisheries sectors must move forward together to build capacity to service new markets, primarily abroad, and develop capacity at a primary production level on farms to be able to increase output and take advantage of and exploit the opportunities which are undoubtedly available to Ireland as a food producing island. This is the image we are trying to develop.

As has been noted, the agri-food sector is already a major industry, employing between 140,000 and 150,000 people on farms, in processing plants and areas such as marketing. In many ways, when Ireland lost its way in the past decade, agriculture and the agri-food sectors were taken for granted by the political system. They were not viewed as exciting in the way information technology or pharmaceuticals were and were not at the heart of the so-called smart economy, about which we heard so much. It is only when an economy collapses and one sets out to rebuild it following the traumatic collapse of many industries and a dramatic increase in unemployment that people start to realise that a country must focus on its core industries and what it does best. What Ireland does best is produce food better than anywhere else in the world.

We need to invest in the agri-food sector to expand the industry. Food Harvest 2020 is about developing an infrastructure that has been built up over generations during which farm families developed skill sets and farming systems. While they were often restricted, for instance, by quota systems in the dairy sector, they will have an opportunity to expand in a dramatic fashion. Food Harvest 2020 sets targets of increasing dairy production by 50% in volume terms. This will require counties such as Cork, Wexford, Waterford and Tipperary to double production over a five year period after 2015. Further targets include increasing the value of output from the beef, pigmeat and sheepmeat sectors by 25%, 50% and 20%, respectively, while seafood output is to increase in value from €700 million to €1 billion per annum. In total, the objective is to increase the volume of food production by more than one third and add value to the tune of 40%.

While these targets are ambitious, they are also realistic because they were set by the industry in its entirety. The group which drew up Food Harvest 2020 consisted of representatives from all the relevant sectors. The document is not an aspiration for farmers or companies such as Glanbia and Greencore but the culmination of an effort by the industry to work together and agree achievable targets. Markets are available to be serviced which would allow us to meet these targets. We must ensure, therefore, that we have the core resources to be able to increase output. This is, by and large, a matter of increasing exports. Last year the food sector was responsible for exports valued at €7.9 billion. By 2020, this figure must increase to more than

€12 billion. We can create more than 7,000 jobs in this effort directly in the food sector and many more spin off jobs servicing the industry.

The agri-food sector has an exciting story that is emerging at a time of budgetary contraction. Next year we will spend less on agriculture and I have hard decisions to make on where to find savings. The Department is in the middle of a thorough expenditure review and I will have to make difficult decisions in prioritising the limited resources we have to spend. I will do so in a manner that will help us to achieve the targets set out in Food Harvest 2020, while protecting farmers who cannot exploit the benefits of the expansion programme owing to the limitations of their land or farms. As Deputy Moynihan stated, we need to ensure people in the west and other disadvantaged areas will continue to farm the land. This is the twin-track approach the Government must and will take. We will expand farming in a really ambitious way to build output and value, as well as finding markets in the EU and outside it. At the same time, we will prioritise the resources available to us as farm supports for those farms that need income support simply to remain viable entities. That is a challenge for us. This is not just an economic exercise; it is also a social one. It is about keeping rural economies and communities intact. I am conscious of the fact that I come from a fertile part of Cork. I am constantly reminded every week, and rightly so, by farm organisations as well as my own party members and Opposition party members, that there is a different type of Ireland that also needs to be looked after in agricultural terms. We will try to do both.

The recent AOS scheme we put in place was controversial and involved a shrinking budget. There was no budget for it, yet we put it together. As regards who will have an automatic entitlement to access the money, we have prioritised people in maturer and disadvantaged areas. After that they will be prioritised on the basis of farm size, with the smaller ones getting in first. We will continue to try to do that.

I wish to discuss some of the challenges we face in Food Harvest 2020 sector by sector. In many ways, the milk sector involves perhaps the most exciting expansion programme, but also the most challenging one. Unlike the other sectors, our output is being limited until 2015, after which we can have a dramatic expansion programme. In a ten-year programme, which is effectively what Food Harvest 2020 is about, we must achieve the dairy expansion in the second five years, unless we can get some political result concerning the issues raised in the motion — with which I agree — that would try to change what was agreed earlier.

I do not want to get into who was responsible for it, but in the last milk check it was agreed across the EU that there would be limited flexibility around expanding domestic milk quotas. As a result we have a super levy system which is preventing Ireland from expanding milk production volumes.

In the past 12 months, two other countries — Denmark and the Netherlands — have had a significant super levy applied to them. I have met the Danish and Dutch ministers to discuss this matter, as we need to put together a coalition of countries that want to expand milk production volumes. In addition, we need to persuade big countries, predominantly France and Germany, that are resistant to the kind of change we want to see between now and 2015, that it makes sense from a European perspective to allow countries that want to expand their industries to do so. That demand can be met by taking unused quota from countries that have no interest in using it in order to facilitate that transition. While we are trying to do that, we are not succeeding at the moment. I have met the Commissioner on this issue as well as discussing it briefly with the French minister, although I primarily discussed Mercosur with him. I will talk about the latter point in a minute. Last week, I spent quite a bit of time with the Danish minister who will hold the EU Presidency in six months' time. Next week, I will be in Hungary to attend an informal Council session during which we will organise a number of

[Deputy Simon Coveney.]

side meetings with a view to putting together a coalition of countries with a common interest in expanding milk quota pre-2015. We will thus try to put a strategy together that will be successful politically, although we should not take this for granted.

If young farmers from Cork to Donegal are planning to exceed their dairy quota dramatically this year, and if they are assuming the problem that will be created from a super levy viewpoint will simply be solved by me as Minister or by somebody else not producing their milk quota, they are very much mistaken. I caution such people therefore not to risk putting themselves out of business by having a super levy fine applied to them next year. We will try to resolve this issue politically and we are putting a huge effort into doing so, but it has not yet been resolved. We are at the early stages of building momentum towards a resolution in this respect, so people should be cautious and stay within quota until we can indicate otherwise. I cannot overemphasise that enough because I do not want to see ambitious young farmers, who are expanding dairy production for all the right reasons, have a significant fine applied to them next year that could put them out of business.

I welcome some of the positive developments that are happening in the dairy sector, including discussion groups. We are putting significant resources into supporting thousands of dairy farmers to share expertise and information. The reports and measurements we are getting back from that are exciting. I would encourage more young farmers therefore to get involved in dairy discussion groups. We will discuss the possibility of doing something similar for the beef sector also, which I think would be welcome.

A lot of work is being undertaken to seek new markets for Irish dairy products. Some of the exciting markets are in infant formula. We export 16% of the world's total infant formula exports and potential new markets are opening up. I will be meeting the Chinese minister for agriculture this week with a view to expanding the food sector trade between both countries. As Deputies will know, Ireland has no access to the Chinese market for beef at the moment.

Deputy Moynihan is correct that the most significant threat to the Irish beef industry at present is Mercosur. We are lucky that any offer on Mercosur in terms of a beef quota being allowed into the EU is being delayed primarily for political reasons, including the Argentinian elections. The French presidential elections next year may also have an impact, such as the lack of an offer on the table or no political deal being done. Since assuming office, I have spent much of my time warning people about the potential consequences of Mercosur, as well as calling for a study of the economic impact on the EU of such a deal. Quite a lot of detail of that economic assessment has been leaked and it is not good.

We will continue to caution strongly against the wrong type of Mercosur deal, without opposing outright the concept of trade deals between the EU and other parts of the world. A Mercosur deal cannot happen if agricultural products, such as beef in particular, are being sacrificed to get cars and financial services into South American markets. I have already made that clear.

I will finish by referring briefly to opportunities in the fishing sector. Each year about 1 million tonnes of fish are caught off the west coast, which is a commodity industry worth €1 billion. Some 88% of those fish are caught by foreign trawlers. We need to start landing an awful lot more of that catch. It is very expensive to transport it by truck from
 8 o'clock Ireland to Vigo or La Rochelle, or to take it away in a trawler's hold. We have a significant potential to develop a fish processing sector that can add value to fish caught by foreign trawlers as well as by Irish trawlers and employ thousands of people. We are working diligently to develop this sector and I will be in Killybegs to discuss it next week.

There is also an opportunity in terms of the aquaculture industry, namely, to increase the volume of fish output significantly due to the restrictions placed by the quota system for wild

fish. We will be exploring this possibility. We have an exciting opportunity to expand the agrifood industry, employ many people in rural parts of Ireland who do not have many alternatives and create significant wealth that would reinforce Ireland's reputation as the best food producer in the world.

Deputy Michelle Mulherin: I am glad to support the Minister's amendment to the motion. I also welcome the recognition on all sides of the House of the importance of western counties and disadvantaged areas to farming and rural life and of the need for continued support for small and medium-sized farms. The amendment is not just words. In terms of the AOS scheme, the Minister has demonstrated his understanding of the importance of such payments to marginalised and disadvantaged farmers. This is welcome and I am glad it has been recognised that not all farming is the same.

I share the Minister's excitement concerning Food Harvest 2010. In the west, 68% of our communities live in rural Ireland. If there are to be any improvements to farming and food production, rural Ireland and the west will have a great role to play. The Food Harvest 2020 document creates possibilities for economic and social growth, which are important. Any improvement in farming is an improvement in the social conditions of the people living in rural Ireland. During the height of the construction boom in 2007, one in four men in the west were employed in the construction sector. This was a significantly higher rate than was seen anywhere else. The west is facing unique challenges but we have considerable potential for development. This document is a blueprint in that regard. The collapse of the construction industry meant the loss of supplementary off-farm income for part-time farmers, who were and continue to be badly hit. There is no alternative employment without leaving the farm.

The document deals with the exciting potential for growth in agriculture. Our renewable energy sector is another such area. The two do not exist in parallel universes. A part of our target for renewables includes bio-energy and biomass. Energy crops, whether they are used for electricity production or bio-fuels, require land. To what extent is there an interface between the two strategies, the Minister and his colleague, the Minister for Communications, Energy and Natural Resources, Deputy Rabbitte? This is a land use matter. Given the trend for high-priced lamb, beef and milk, this seems to be the way we ought to go. We have the best grasslands in the world and a climate that allows our grass to grow for longer periods than is the case in many other areas. To what extent will we not be growing energy crops on arable land?

The fishing industry has great potential. The current complaint is that although fishing is occurring along the entire west coast, processing mainly takes place in Killybegs. Other groups have an appetite, including a group about which I wrote to the Minister, namely, Iascairí Chois Chósta Iorrais Teoranta. This group believes there is favouritism and that its fishermen are not getting the support enjoyed by fishermen in Killybegs for improving standards upon their vessels and, in particular, achieving the Marine Stewardship Council standard. It is going nowhere fast with Bord Iascaigh Mhara. Will the Minister investigate this matter? I also forwarded him the fishermen's request to meet him to discuss the location of the outfall pipe of the Bellanaboy Shell gas terminal and the agreement they arrived at with Shell. They want to avoid future complications.

As we look to agriculture as a way forward it seems ridiculous that we are going to close agricultural colleges, Mountbellew in particular. It is a disaster. For young farmers, a year in an agricultural college is well spent and equips them to deal with modern farming. The closure of the colleges is a retrograde step and I ask that Mountbellew not be closed.

Deputy Martin Heydon: When we discuss recovery, we should start with indigenous aspects of our economy where we have a level of knowledge and expertise. We do not need to reinvent the wheel but to get back to basics. When one considers the quality of our land and suitability of our climate while concentrating on what we are good at, agriculture is an obvious sector with which to start. However, to do so we must ensure that the primary producer — the farmer — is able to make a viable income from the land.

As someone who has a mixed farming enterprise in south County Kildare, I am all too aware of the challenge it is for a beef and grain producer to make ends meet. While we face into CAP reform negotiations and uncertainty as to the future of payments and supports beyond 2013, we must always remain mindful that all any farmer desires is to be able to get to a point where he or she can make a living from his or her produce. No farmer wants to be fighting over payments and paperwork. No farmer wants to be in a position where he or she needs to avail of the farm assist income support scheme because his or her income is insufficient to survive on. However, until we reach a point where the producer receives an appropriate portion of the final price of the produce we must continue with a strongly funded price support scheme post 2013 in Europe.

In discussing the future of agriculture, one aspect of the sector that should be revisited is that of sugar production. It was one of the initial industries set up by the first Government in the 1920s. It survived through generations, including the economic crisis of the 1930s and the oil crisis of the 1970s, but it did not survive the Celtic tiger. The production of sugar beet had a large spin-off, not just for farmers and growers, but for the hundreds of factory workers employed, the hauliers, machinery trade dealers and manufacturers, consumers and the wider community. The benefit of sugar beet as an important break crop to the soil is also of significance.

The added value aspect of bioethanol production at a time of soaring oil costs only adds weight to the argument that Ireland should look to return to producing sugar beet. I urge the Minister to support any move by private industry and farmers in Ireland to return to producing sugar beet if it is proved feasible to do so by the studies being undertaken.

Deputy Denis Naughten: In the limited time available, I wish to raise three issues. This is an exciting time in agriculture but we need to exploit some of the bottlenecks. I welcome the tabling of this Fianna Fáil motion and the all-party agreement on the principal issues. However, it is important that we focus on matters such as research and development, marketing and promotion and labelling laws. We are spending approximately 5% of our total research and development budget on the single largest indigenous sector of our economy. It is important that we refocus investment on the agrifood sectors.

The agriculture and food industries need to be constantly developing the next best food product if we are to compete effectively. It is not good enough to rely on Baileys Irish Cream liqueur, which was first produced nearly 40 years ago. Not only must we focus on investment in consumer products such as functional foods and cheese. In tandem, we must support programmes and initiatives that improve the breeding and quality standards of Irish beef and sheep production.

It is important that we refocus our marketing and promotion of food products. We have a unique selling proposition in terms of our grass-fed product. Research after research, particularly in the USA, has shown that consumers want to eat meat products that come from grass-fed sources and prefer such meats over other food products. Research has highlighted that grass-fed beef and other meat products have significant health benefits due to the presence not only of omega-3 oils but also of minerals, vitamins and conjugated linoleic acid, CLA, which reduces the risk of cancer, obesity, diabetes and a number of immune disorders. We should

focus on that attribute of our beef products as well as our lamb and dairy products, which are also mostly grass-fed. Yet, on the Bord Bia website and in the marketing campaigns, this aspect is not prominent in the promotion of our food products. We need to focus on what we are good at. We have a product on which only a few other countries in the world can compete with us, and we must focus on it.

The final point I raise is that of food labelling. We have introduced country-of-origin food labelling in recent years, but there is not much point in introducing legislation unless we enforce it. I have one question for the House: where is the home of the Whopper? Burger King promotes its premium certified Angus beef products, and I do not dispute it in this regard, but there is no country of origin displayed in the restaurants or on its website, which is contrary to the existing legislation. I do not see why a multinational franchise can be allowed to get away with a breach of the legislation when other small retailers and producers must comply with the laws on displaying the country of origin of beef. I do not accept that no environmental health officer has spotted this. It is clearly not a priority at the moment, and this must be changed.

It is important that any benefits accrued in the marketplace are passed back to farmers. There is major potential to obtain premium prices for our products, but it is also important that Irish farmers directly benefit from this. We must take power away from the supermarkets, especially the multinational supermarkets, and protect our indigenous farmers and industry. We must ensure Ireland becomes the food island, not only for Europe but for the whole world.

An Leas-Cheann Comhairle: Before I call on Deputy Michael Colreavy, I point out that the amendment to the Minister's amendment submitted by Sinn Féin has been ruled out of order by the Ceann Comhairle on the grounds of insufficient notice. Although the Deputy cannot move the amendment, he may speak on the substance of the amendment and deal with the subject matter.

Deputy Michael Colreavy: It is unfortunate that a good idea has been rendered redundant by a technicality, because there was good reasoning behind the submission of the amendment. At the end of my speech I was going to talk about the amendment we had tabled.

An Leas-Cheann Comhairle: You are welcome to do that.

Deputy Michael Colreavy: We had proposed to delete the words "negotiate at an EU level to allow for the orderly expansion of the dairy industry in Ireland between now and the ending of milk quotas in 2015" and substitute "negotiate at EU level to allow for the orderly transition of the dairy industry in Ireland to protect security of milk supplies, processors and suppliers after 2015". We believed the amendment was necessary because the Fianna Fáil motion and the Fine Gael amendment were a little short-sighted, looking only as far as 2015. Many farmers have made heavy investments, and these must be protected after 2015. I understand the spirit of the Fianna Fáil and Fine Gael proposals, but our amendment would have made it more clear precisely what we were trying to do.

When I first read the Fianna Fáil motion, I was not sure what its purpose was. I thought it was quite narrow in focus when there are so many areas of agriculture we need to talk about. However, I was heartened to hear the response of the Minister for Agriculture, Fisheries and Food. The comments of Deputies have gone beyond the narrow confines of the motion, which I welcome. In my first address to Dáil Éireann I said that as long as the Minister spoke openly and plainly and demonstrated his knowledge of and passion for the brief, and as long as we had general agreement on the road he was taking, he would enjoy my and Sinn Féin's full support. I reiterate that tonight. I thank the Minister, who obviously has a passion for his brief and great knowledge of it.

[Deputy Michael Colreavy.]

According to the brief given to the Minister for Agriculture, Fisheries and Food, the objective of the Department is to “lead the sustainable development of a competitive, innovative, consumer focussed agriculture, food, fishery and forestry sector and to contribute to a vibrant rural and coastal economy and society” by pursuing the following five goals:

1. Provide an appropriate policy framework to support the development of an internationally competitive, innovative and consumer-focused sector.
2. Ensure the highest possible standards of food safety, consumer protection, animal health and welfare, fish and plant health, including appropriate bio-security measures.
3. Promote economic, social, environmental sustainability, and appropriate structural change in the agriculture, fisheries, forestry, bio-energy and food production sectors.
4. Operate all our schemes and programmes in an efficient, effective and consumer focused manner, improve our quality of service delivery and simplify the regulatory burden on all our clients.
5. Continually enhance our capability by developing our people and systems, maintain the highest standard of corporate governance and implement the decentralisation programme and public service modernisation.

These are all very laudable goals. However, I have seen over the years a number of instances — I am not speaking specifically about the Department of Agriculture, Fisheries and Food — in which the enunciated vision and goals of Departments are not followed through in terms of the choices and practices of people working in those Departments. I suggest that the Minister look more closely at the operation of those Departments.

One of the objectives of the Department is to “[o]perate all our schemes and programmes in an efficient, effective and consumer focused manner, improve our quality of service delivery and simplify the regulatory burden on all our clients.” Every Deputy, of every party, has several examples of farmers who are not paid on time, whose payments are held up, often for spurious reasons, and who continually face impediments in trying to obtain what they are justly entitled to — often after they have made serious financial investments in their businesses to qualify for a grant in the first place. I fully accept the veracity of the Minister’s vision and his passion for it. However, he will have to make sure the troops behind him share that vision and that they are working in a changed way. It should not be a case of one person versus another. The public service, the public, producers, farmers and businessmen should work together to do the right thing. Often, that does not happen.

Food Harvest 2020 is an exciting document with ambitious targets. We should all work towards achievement of these targets, and it can be done. However, if we constantly see cut-backs in research and reduction in State investment in the very machinery that will help attain the targets set out in the document, and if we constantly reduce the income of those who produce the goods under the framework of Food Harvest 2020 and undermine the very basis on which they work, those targets will slip. We must do two things, namely, remove the impediments that exist and provide support in areas such as research and promotion.

We must bear in mind — I know the Minister does so — the importance of this industry in both economic and social terms. We must ensure that this industry, which is vital, is protected. The agrifood sector contributes €24 billion to the national economy. It generates 6.3% of gross value added and 7.4% of employment nationally. When the employment provided in inputs, processing and marketing is included, the agrifood sector accounts for almost 10% of employment in this country. Sometimes people who live in towns and cities do not understand the importance of agriculture. If an industry in a town is doing well, then everything must be all

right. However, the country would be immeasurably poorer if there was a dramatic drop in the income from agriculture and those who live in its towns and cities would be much poorer as a result.

Agrifood is one of Ireland's most important indigenous manufacturing sectors, accounting for the employment of 150,000 people. The approximately 600 food and drinks firms throughout the country export to some 140 markets worldwide. This illustrates the huge size of the industry, which accounts for in the region of 8% of GDP. The primary agriculture accounts for 3% of GDP.

There has been a great deal of discussion regarding the manufacturing sector. Less than 17% of the raw material inputs required by the agrifood industry are imported. This compares to a figure of over 60% of imports required by the manufacturing sector. Most of the agrifood sector is, therefore, within our control and there is no need for us to worsen our balance of payments in order to improve its position. Given that the global population is increasing at a rapid pace, that consumption is rising and that the demand for food is greater than ever, agrifood exports represent a large potential source of revenue for this country. This is the case because, thankfully, Ireland is still seen as a rural and green island. We must capitalise on this and increase the level of our agrifood exports. I accept that the targets are ambitious but they can be achieved. However, the latter will not happen unless people change their mindset in the context of how we manage our agrifood business.

We must formulate a strategy in respect of agriculture and food farming and the wider issues of rural development and job retention and creation. We should identify the jobs which might be created in the agrifood sector. In addition, we must bear in mind a set of broader policy objectives in order to place the economic analysis relating to the agrifood sector in context. Only through an observation of such objectives can the current analysis be treated in an adequate manner.

The type of overarching policy objectives to which I refer include minimising the country's vulnerability to recessions generated by international markets by developing indigenous industries — as envisaged under Food Harvest 2020; reducing our over-reliance on foreign direct investment, which makes us vulnerable to global economic downturns; promoting the development of small and medium-sized enterprises — including agrifood enterprises — from which the bulk of employment currently stems; promoting a progressive enterprise culture, particularly in the context of supporting the development of national and local brands; and bringing about balanced regional development by redressing geographical imbalances and inequalities in infrastructure and employment.

Sinn Féin is of the view that the core objective of any rural development programme involves creating a co-ordinated programme; retaining the maximum number of people on the land and preserving the social fabric of rural life; and ensuring that everyone has a dignified standard of living. We also want real reform of the Common Agricultural Policy, the original objective of which was to maintain the maximum number of farmers on the land while ensuring a proper standard of living for farmers and fair prices for consumers. It has not delivered in this regard and it must be changed. However, we must be careful with regard to the changes we might seek in respect of it.

Sinn Féin would also like a funding initiative to promote organic farming to be introduced. Organic farming becomes commercially viable on much smaller acreages of land than is the case with farming which utilises the more common and popular methods. I invite the Minister to visit the organic centre located at Rossinver in north Leitrim. This centre is well regarded nationally. In fact, it is considered a model of excellence. There is a food hub in Drumshanbo where expensive equipment and marketing methods are shared in a co-op approach by various producers. This hub is also a model of excellence. When he is travelling to Killybegs, perhaps the Minister will stop off in north Leitrim in order that we might show him these wonderful

[Deputy Michael Colreavy.]

facilities. There are also a number of models of excellence in County Sligo which he might visit. Perhaps he will contact me when he is on his way to Killybegs because I would be delighted to show him around the facilities to which I refer.

An Leas-Cheann Comhairle: I call Deputy Mattie McGrath. I understand the Deputy is sharing time with Deputy Healy.

Deputy Mattie McGrath: I welcome the opportunity to contribute to the debate on the motion. As previous speakers indicated, the importance of agriculture to this country and its economy cannot be overstated. In previous recessions and downturns we turned to agriculture in order to get ourselves out of the morass. With the provision of the right supports and the removal of unnecessary regulation, we can prosper again. If we take the steps I propose, farmers could employ more people and make rural areas — which in recent times have become quite lonely places in which to live — more vibrant.

The annual output of the agriculture industry is approximately €22 billion. This accounts for more than 6% of GDP. It is, therefore, an enormous industry and is worthy of more than mere lip service. Agriculture has been neglected by recent Governments and there is no point in stating otherwise. When the so-called Celtic tiger was on the prowl, we forgot the animals which inhabit rural Ireland. During the period to which I refer, industry became fashionable and it was no longer stylish to be a farmer. As a result, there was a flight of farm families from the land. Indeed, the dwindling number of farm families is a serious development. Not only does the reduction in the number of such families affect agricultural outputs, etc., it also has an impact on entire rural communities. I refer here, for example, to the effect it has on rural schools and sports clubs and small villages and towns.

The farmers markets which sprang up in recent years and the country markets which have been in existence for over 40 years are vital and are being given support. With the disappearance of the so-called Celtic tiger, people are beginning to support local markets and so forth and to buy local produce. It is important that this type of development should be nurtured.

I am of the view that there is far too much regulation in many sectors of the economy. This is particularly the case when in the case of agriculture. The behaviour of the Competition Authority in the context of its recent smash-and-grab raid on the headquarters of the Irish Farmers Association, IFA, was outrageous. In the recent past there was literally no regulation in financial circles. It was, therefore, very damaging that, in the interests of over-regulation, 15 officers of the authority executed a search warrant in respect of the offices of the IFA.

Deputy Seamus Healy: The agricultural industry is vital for social and economic development and as part of the fight back against the current economic recession. The industry is annually worth €22 billion, representing 6% of gross domestic product, and accounts for €8 billion in exports. It provides 150,000 jobs on 128,000 farms and in up to 600 industrial firms. Irish agriculture has the benefit of being organic and green, a good platform from which to tap into the global food market which has seen increased consumption. This worldwide expansion in consumption provides an opportunity to expand the industry and create more jobs in it. State enterprises can assist in this area through, for example, providing research and development. Our universities have up to 3,000 postdoctoral and 3,000 other researchers who can be used as the base for developing State enterprises in the food and agricultural area, creating jobs, putting many on the dole queues back to work and thereby making huge savings in social welfare payments.

Debate adjourned.

Adjournment Debate

Registration of Deaths

Deputy Seán Kyne: I thank the Ceann Comhairle for this opportunity to speak on the important issue of the registration of deaths abroad.

It is now over a year since the Bring Them Home campaign made a presentation to an Oireachtas committee on the need to amend the Civil Registration Act 2004. Unfortunately, no changes to the legislation have been made to rectify the issue which the campaign raised and explained so clearly. The position remains today that a family of an Irish person who dies abroad cannot have that person's death registered in Ireland. The legislation, as it stands, stipulates that the death of an Irish citizen abroad may only be recorded and registered in Ireland if that death occurred on an Irish ship or aircraft, on a foreign ship while it was in transit or if the deceased person had been a member of An Garda Síochána or the Defence Forces. It is right and proper the deaths of our service personnel abroad be recorded in this State. However, it is also right and proper the deaths of all Irish citizens abroad be recorded by the issuing of a death certificate by the State.

Deaths abroad may be recorded by a registrar, other than a death to which section 39 applies, "if there was not at the time of the death a system of registration of deaths in the place where the death occurred or such a system that applied to such a death, or it is not possible to obtain copies of or extracts from civil records of the death".

Following representations from families who had lost relatives, in particular sons, daughters, brothers and sisters, the then Minister for Social Protection, Deputy Éamon Ó Cuív, committed to a review of the legislation in April 2010, a most welcome commitment. The then Minister held several meetings with the Bring Them Home campaign but the results of the review did not come to fruition prior to the fall of the previous Government, despite the many intervening months between the announcement of the review and the general election.

The latest position appears to be that the review, which is being undertaken by the Office of the Registrar General, is still ongoing. I acknowledge that reviews can, with the procedures to be followed, be complex and time consuming, no more so than when amendments to legislation are involved. However, this review is long overdue. The inability of us as legislators to be in a position to amend the Civil Registration Act is merely prolonging the pain of families who have lost loved ones abroad. This is unacceptable.

Thankfully, personally I have not lost a loved one abroad but every Member will have experienced loss of some type be it a parent, sibling, friend or neighbour. The loss of a loved one is traumatic. Can Members imagine those citizens who have suffered the horror and upset of a foreign death of a family member? Can they imagine the trauma of repatriation of the remains and the delays that could take place? Can they imagine that even when the burial is complete and the moving on begins, the State cannot give closure to these families by the issuing of an Irish death certificate?

In the case of our nearest neighbour, when a death of a citizen in the case of England and Wales occurs unexpectedly abroad, it is registered according to the local regulations of that country, a similar process to ours. However, the one important difference is that the death must also be reported to a coroner as if the death had occurred in England or Wales. If the death were expected, the family may register it and receive a UK death certificate, the record of which will be kept at the General Register Office's overseas registration section in Britain.

The Bring Them Home campaign has made use of the social media website, Facebook. To date over 4,100 people have lent their support for the amendment of the Civil Registration Act. A simple perusal of the campaign's Facebook page reveals the number of people — family

[Deputy Seán Kyne.]

and friends of deceased Irish people — for whom a small change to our legislation would mean so much. For many, it would represent closure and help in moving on while never forgetting their relatives and friends. It would also enshrine the memory of those citizens who have tragically died abroad and ensure future citizens will know the truth of what happened to their ancestors.

The review of the Civil Registration Act must be concluded as soon as possible. It must bring about a change in the legislation to allow for the registration of the deaths of Irish people abroad. It is such a minor change but would be a major difference to many. Will the Minister and the Government put pressure to bear to achieve this change?

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): I am taking this matter on behalf of the Minister for Social Protection, Deputy Joan Burton. She apologised for not being able to take it but was already committed to a previous engagement.

Deputy Billy Kelleher: That is a slur on the House.

Deputy Kathleen Lynch: I thank the Deputy for raising this matter, a concern to many families.

The provisions and procedures governing the registration of deaths in Ireland are contained in Part 5 of the Civil Registration Act 2004. Where a death occurs in the State, it is the duty of a qualified informant, normally a relative of the deceased, to attend at a registrar's office and register the death on foot of a certificate of cause of death supplied by a registered medical practitioner. Where a death is referred to a coroner, the death is registered by a registrar on foot of a coroner's certificate.

In general, only deaths which occur within the State are registerable. However, section 39 provides for exceptions such as the deaths of members of the Garda Síochána or the Permanent Defence Force or of the spouse or specified members of the family of such a member outside the State while the member is serving outside the State as such member. It also provides for deaths of persons on board an Irish aircraft or an Irish ship, deaths of Irish citizens on board a foreign ship or a foreign aircraft travelling to or from a port, or an airport, as the case may be, in the State.

Section 38 makes provision for the registration of a death of an Irish citizen domiciled in the State in certain specific circumstances. Where the death of an Irish citizen domiciled in the State occurs abroad, the death may be registered here if there was not at the time of the death, a system of registration of deaths in the place where the death occurred, or such a system that applied to such a death, or it is not possible to obtain copies of or extracts from civil records of the death such as a death certificate. In other words, if the death could not be registered or if a death certificate could not be obtained, the death can be registered here. Although the number of such cases is extremely small, it is considered reasonable to make provision for them.

The reasoning behind these provisions is simply to ensure that where deaths cannot be registered abroad, they can be registered here and that in all cases the relatives of the deceased have available to them a certificate of the death for personal, legal and administrative purposes. Usually, when an Irish citizen dies abroad the death is registered by the civil authorities of the place where the death occurred and a certified copy of the death registration is obtainable. This certificate, translated, if necessary, is normally sufficient for all legal and administrative purposes here and for these reasons alone there is no necessity for the death to be registered in the State.

Any broadening of the current provisions will require careful consideration. It will be appreciated that the number of people who live and die in other countries and who have or are entitled to Irish citizenship is very large. This would have implications for the registration

process and for the vital statistics relating to deaths which are derived from registered events. The number of Irish citizens who are domiciled in Ireland and who die abroad is relatively small in the context of total deaths occurring here in any given year. The figures available in respect of some recent years are as follows; 2007, 150; 2008, 205; 2009, 243; 2010, 210 and for the first quarter of 2011, 56. My understanding is that the vast majority of these people were travelling abroad for leisure or business purposes. The Minister is conscious that each figure represents a tragedy and because the deaths occur away from home it is an additional heartache for the family.

As I stated, a death certificate is readily available in the overwhelming majority of these cases. However, the Government appreciates that many families of the deceased feel strongly that by registration of the death, the person's death is given recognition in his or her own country and also that this fact would assist during a period of considerable grief. The Department will, therefore, have this matter reviewed in the context of future amendments to the Civil Registration Act 2004. A general review of the provisions of the Civil Registration Act 2004 is expected to be completed later this year.

It might be possible to take a look at what our nearest neighbours have done in regard to legislation in this area and I will bring what the Deputy had to say in this regard to the Minister's attention.

Nursing Homes Support Scheme

Deputy Billy Kelleher: I hope the Minister of State with responsibility for older people can bring clarity to the issue of funding for nursing homes in the context of the fair deal scheme, which so far the Minister for Health and Children, Deputy Reilly, has been unable to do.

Deputy Jerry Buttimer: That is not fair.

Deputy Billy Kelleher: I am talking about the fair deal scheme. This is not about political gamesmanship. This matter has caused a great deal of distress and concern to many families and individuals who were in the process of being assessed and approved for funding for nursing home support under the fair deal scheme. To date we have had conflicting views in terms of the Minister's statement that the immediate issue of funding had been resolved; that anyone who had been assessed would be approved under normal procedure; and that a review would be carried out simultaneously and the HSE's statement that it will continue to assess but not approve applications. There is a divergence of views on this matter.

When the Minister, Deputy Reilly, assumed office he took ownership of the HSE and amid a fanfare of publicity arrived at its headquarters and sacked the board. However, to date he has been shy in regard to pointing out where the funding allocated for the fair deal scheme in the Estimates and budget went and whether that funding had been misappropriated. The Minister said on a number of occasions that he had concerns about where the money provided for the nursing homes support scheme went and whether it had been misappropriated. The HSE has stated that all funding went to care for older people in accordance with the various subheads. This is causing a great deal of concern and anxiety among older people. Also, there is absolute confusion between the Minister, who runs the health services, having appointed a new interim board and the HSE.

I would appreciate if the Minister of State could tell us tonight that the HSE is wrong in not approving people who have been assessed for the nursing home support scheme. This would bring clarity to the issue. I would also like to know what is wrong with the budgetary provision allocated last year. This matter was brought to the Minister's attention when he assumed office around 6 or 7 March. It is clear from the briefing documents the Minister received at that time that there were difficulties with funding going forward in the context of the anticipated level of demand which was over and above that of last year.

[Deputy Billy Kelleher.]

I know that the Minister of State is committed to her responsibilities in this area. We all welcome the fair deal scheme, which has addressed the concerns of families and individuals in regard to how they will fund nursing home care for their loved ones or themselves. We must ensure we do not create further anxiety in this regard. The following is stated in the programme for Government — this was obviously written late at night or in the early hours of the morning and certainly not in Government Buildings: “Investment in the supply of more and better care for older people in the community and in residential settings will be a priority of this Government.” It also states: “Additional funding will be provided each year for the care of older people.” I am quite certain that the people who wrote this were at the time aware of the budgetary position and constraints facing the incoming Government yet it is stated that additional funding would be provided each year. I am assuming that includes 2011.

The scheme was suspended for a time. The Minister was eventually flushed out and made a statement that the immediate issue of funding had been addressed pending a review. It is hoped that the Government will live up to its commitment in the programme for Government that additional funding will be provided each year for the care of older people. The programme also states that funding will go to more residential places, home care packages and the delivery of more help and other professional community care services. While the programme contains a strong aspiration for support of older people we would really like to see people put the money where their mouths have been over the past number of years and months in particular to ensure the anxiety, fears and concerns of families and their loved ones are addressed immediately.

Deputy Caoimhghín Ó Caoláin: I am disappointed that the Minister, Deputy Reilly, is not here to take this matter on the Adjournment. There is now serious confusion over what is happening with the fair deal scheme and it is the Minister’s job to clear up that confusion and tell us, and more important, worried older people and their families how this is going to be resolved.

Last Wednesday, 18 May, it emerged in the media that the HSE had informed hospitals that funding allocated for the fair deal scheme in 2011 was running out even though we are only in the fifth month of the year. Naturally, these reports spread huge concern among older people and their families, including people already availing of the fair deal scheme and those who had applied or would be applying for it. Age Action reported that it was inundated with phone calls from concerned older people, some of them in tears.

On Friday evening we had the statement from Minister, Deputy Reilly, in which he claimed that €100 million in funding for fair deal was used for what he described as ancillary services, including therapies and drugs. The Minister was quoted as saying there was “tremendous confusion” between the HSE and his Department. He spoke of “some very strange figures coming through from various parts of the HSE.” Then, quite amazingly, he said that through “confused messaging” money that belonged to one subhead has been spent on other subheads. We are talking about tens of millions of euros in public money. For “confused messaging” to exist about its allocation and spending is totally unacceptable. There was a sigh of relief when the Minister said that the fair deal scheme would recommence approving applications. That relief has been short-lived. I contacted the HSE only to be told that applications are not in fact being processed. I was told that the computer system for processing them has been shut down. In fact, the term used was that “the computer access has been disabled”, which is shocking.

The HSE was reported today on the Irish Health website as stating that it has not yet recommenced approving applications for the fair deal scheme as it is still seeking clarity on the funding issue from the Department of Health and Children. The HSE also stated that it was not the case that money was diverted away from where it should have been spent, as claimed by the Minister. So, now we have the Minister and the HSE contradicting each other on this

vital matter of the care of older people. Are we drifting, with our eyes wide open, into yet another crisis? When will the approval of applications re-commence? Staff in the various nursing homes support units throughout the country are denied access through the computer system.

The pressure on the fair deal scheme in the past year has already led to a situation where there are increasing numbers of delayed discharges of older people from hospitals, that is, older people are being kept in hospital beds longer than medically necessary because there are no nursing home places for them to go to, or now, as it seems, no fair deal scheme in operation to support them. The longer this situation drags on the worse the bed shortage in our already over-stretched hospitals will become. We have some 1,500 public hospital beds closed and, despite their election promises, there is no sign of the new coalition Government opening any of them.

We need absolute clarity and we need it now. We need the funding confusion cleared up and the funding restored. We need applications to be approved and older people to have some sense of security. We need all available beds accessible to those already cleared to occupy them.

These are real people. Tonight, in my home town of Monaghan an 89 year old lady remains in her flat, dependent on a limited home-care package and the continuing 24/7 care of her loving family. She was approved for fair deal access to a bed vacancy in a local state-of-the-art nursing home that became available yesterday. However, with no fair deal final processing she is unable to take up the offer at this time. That is outrageous. There are many other older people like the lady I refer to.

I appeal to the Minister of State, Deputy Lynch, to impress on the Minister to have the blockade of the computer system lifted and the process recommenced immediately.

Deputy Kathleen Lynch: I thank the Deputies for raising this issue. I agree with both of them that this is a very worrying time, not just for elderly people but for their families and those who support them.

This issue relates to the nursing homes support scheme, the fair deal, which is a system of financial support for individuals in public, voluntary and approved private nursing homes. The scheme is available to anyone assessed as needing long-term nursing home care, including dementia-specific nursing home care. The scheme involves a fundamental change in the way in which long-term nursing home care is funded. The new scheme supports the individuals in need of long-term nursing home care, not the facilities providing the care. This means that money follows the patients, regardless of whether they choose public, private or voluntary nursing homes. It ensures that these facilities are not being funded for empty beds. Almost 21,000 applications for the scheme have been received since its commencement, with nearly 3,000 applications received in the first quarter of 2011. Over 16,000 of these have been processed to completion.

It is important for people who are already in care to be assured that there is no threat to them. Old people are vulnerable enough and it is easy to worry them.

The legislation underpinning the scheme enshrines the principles of a resource cap, patient choice and funding following the patient. In this regard the total long-term residential care budget in 2010 was €979 million. The budget for long-term residential care in 2011 is €1.011 billion. This is effectively funding for the nursing homes support scheme, albeit that transitional arrangements, for example subvention, contract beds and saver cases in public nursing homes, must also be facilitated from within the subhead. The Nursing Homes Support Scheme Act 2009 defines “long-term residential care services” as maintenance, health and personal care services. The services which fall within the scope of long-term residential care include nursing and personal care appropriate to the level of care needs of the person; basic aids and appliances

[Deputy Kathleen Lynch.]

necessary to assist a person with the activities of daily living; bed and board; and laundry service.

The cost for each public nursing home has been determined using the definition of “long-term residential care services” underpinned by an agreed set of cost components which has been laid before the Houses of the Oireachtas. 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, goods and services that are already prescribed for individuals under an existing scheme are not included in the services covered by the new nursing homes support scheme because this would effectively involve paying twice for the same items or service.

As the Deputy is aware, the Minister for Health and Children has recently been made aware of a serious shortfall in the budget for this year. The budget is coming under pressure from, among other things, increases in overall costs and increases in net demand for long-term care. Furthermore the HSE has advised that the long-term residential care subhead is also funding services other than those covered by the nursing homes support scheme.

I should point out that we understand these other services, which include therapies and medications, are being provided to people in nursing homes. The Minister is currently seeking to ensure that only agreed costs are met from the long term residential care budget. The Minister has sought further information about the level of funding provided for, and the costs drivers impacting on the fair deal budget. The main priority at this stage is to establish what steps might be taken to allow more people to benefit from the scheme. In the meantime, applications for financial support under the scheme will continue to be accepted and processed. However decisions to grant approval will be subject to the availability of funding. A full examination of the funding situation is underway, conducted jointly by the Department of Health and Children and the HSE. The commitment in the programme for Government to review the fair deal scheme will be undertaken separately.

I find it rich to listen, not to Deputy Ó Caoláin, but to a Deputy who was a Minister of State when the Government allowed the Minister for Health and Children to distance herself so far from the Department that it was not merely at arm’s length but out of her control. What we are looking at here must have been seen by the previous Government before it went out of office.

Deputy Billy Kelleher: We did not write the programme for Government. The Government wrote it. We do not mind being blamed for things we are responsible for.

Deputy Kathleen Lynch: I find it difficult to listen to that kind of rhetoric——

Deputy Billy Kelleher: We had to listen to it for 14 years.

Deputy Kathleen Lynch: ——putting elderly people and their families under such pressure.

Cork Airport Security

Deputy Jerry Buttimer: I dtús báire cuirim fáilte roimh an Aire Stáit. I thank the Ceann Comhairle for allowing me to raise the issue of the breach of security at Cork Airport last

Sunday. I ask the Minister to indicate in his reply the measures that will be taken to ensure the safety, not only of staff and passengers but of everyone at Cork Airport and other airports.

The breach of the security barrier in Cork Airport last weekend has caused much concern and raised many questions. Fortunately, there was no loss of life or serious injury on the ground at the airport. It is important to note that the frightening events began in Patrick Street, when a member of An Garda Síochána was confronted and attacked while driving his patrol vehicle, which was then taken by the assailant. The vehicle was driven through busy pedestrianised streets before, apparently, being driven through a barricade near the old terminal building at Cork Airport. I commend the bravery of the gardaí involved in the incident. Despite being attacked and having to place themselves in the way of danger, their actions prevented innocent bystanders from also being injured during the course of this incident. Over the past week, we have seen the excellent work that gardaí performed on important public occasions, but this incident shows the risks that each and every member of An Garda Síochána takes when they go on duty to protect all members of our society, for which they must be commended.

In raising this Adjournment matter, I am conscious that airport staff and the travelling public need reassurance. I very much welcome the fact an internal airport security review is under way. The incident last Sunday on the grounds of Cork Airport is serious and poses many questions. If one watches the event on YouTube or RealPlayer, one will see that a period of greater than ten minutes period elapsed before the car ran into a luggage truck bringing bags to an Aer Lingus flight bound for Amsterdam.

The issues raised by this security breach go beyond Cork Airport alone. Given that our airports are managed and controlled by a central body, neither Cork Airport nor Shannon Airport has full autonomy to decide how it is run. Therefore, the issues raised must be considered in the context of all three major airports. Security barriers obviously need to be improved and I call on the DAA to provide funding to upgrade the security of the perimeter fencing around Cork Airport. This incident could have been one with gargantuan consequences. Imagine if a fuel truck or aeroplane had been struck. We must ask if Cork Airport is secure and if its grounds are protected against a terrorist attack.

The Minister should also consider the wider issue of airport security. If such a breach can occur at Cork Airport, could a similar incident not occur at any of the other airports in the State? These events should cause us to reconsider how we operate our major airports and to ask whether they have adequate security staff on duty, whether the powers of the airport police are sufficient to secure a modern strategic infrastructural facility and whether there is a sufficient Garda presence at each of our airports. It is time to reconsider a security and operational model which has been in place for many years. Last weekend's incident has confirmed to us that state-of-the-art security measures should not just be confined to banning bottles of liquids greater than 100 ml on board aircraft, nor should it just be the scanning of individual passengers. It is obvious that we must consider all aspects of a modern airport to ensure that, in so far as is possible, all security weaknesses are minimised. I again thank the Ceann Comhairle for allowing me to place this matter before the House.

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I thank the Deputy for the opportunity to discuss this matter. As Minister for Transport, Tourism and Sport, I have responsibility for formulating policy in the area of aviation security. I also have a statutory function to ensure the monitoring of compliance by airports, airlines and other relevant entities with national and international aviation security requirements. This function is carried out by my Department through the implementation of a comprehensive quality control programme at Irish State and regional airports which aims to ensure that security at Irish airports is at, or exceeds, best international practice.

[Deputy Leo Varadkar.]

It is important, however, to note that the actual implementation of security measures at individual airports within the State is, for operational reasons, a matter for the individual airport operator concerned, which, in the case of Cork Airport, is the Dublin Airport Authority, DAA. Therefore, when breaches of security of the kind that occurred in Cork last Sunday happen, it is the responsibility of the DAA in the first instance to deal with the matter.

I have been in contact with the DAA on the matter and it informs me that, on Sunday last, a male driving a Garda jeep at high speed breached the security fence close to the airport's cargo area, gaining access to the ramp area at approximately 4.45 p.m. It subsequently emerged that this man had stolen the jeep from a garda on Patrick Street in Cork city, following a violent assault with a knife. Cork Airport Police immediately responded to the incident and gardaí were notified of the incursion. I understand that at no point did any vehicle enter the live runway area. However, as a precaution air traffic control was notified to hold all flights to prevent any landings during this period. I further understand that, following a chase lasting some minutes, the Garda emergency response unit arrived on the scene and, with the assistance of the Airport Police, restrained the man with the aid of a Taser. He was then arrested and taken into custody.

During the incident at the airport, a garda was injured and some vehicles were badly damaged. I am sure the Deputy will join me in commending all those involved in resolving this incident for their contribution and their bravery on the day. I believe this is the first such incident of its type in the history of Cork Airport. Furthermore, based on current information, I am informed that it appears unlikely this was a premeditated act of unlawful interference with civil aviation. Rather, it was a criminal incident, albeit a very serious one.

Notwithstanding this, I note and share the Deputy's concern on this matter and, in particular, his view that, if possible, rectification measures need to be taken to ensure that the safety of all those using the airport is maintained and enhanced into the future. In this regard, it is worth commenting both on the actions taken immediately following the incident as well as planned future measures. I understand that immediately following the incident, the Garda sealed the area as a crime scene. Furthermore, I understand that all stands and taxi-ways were fully secured in accordance with standard operating procedures prior to being released into operation. Finally, until the fence breach was closed, an airport police officer and a garda were stationed at the gap to prevent further unauthorised access. The fence was repaired within hours and is now fully operational again.

It is worth noting that the perimeter fencing is regularly inspected and patrolled by the Airport Police. The fencing is the same type as is used in the vast majority of airports across the EU and beyond. It complies fully with the European security regulations as laid down in my Department's national civil aviation security programme, which itself is based on the highest international standards set down by the International Civil Aviation Organisation.

I know this incursion by a vehicle into the critical part of a security-restricted area is being taken very seriously by the DAA and that a review is being undertaken by the Cork Airport security officer, with the assistance of senior security personnel from Shannon Airport and from the health and safety, security and environment department of the DAA. This review will consider what reasonably practical additional measures can and should be deployed to reduce the risk of a recurrence of such an incident. I believe that a review of the incident is also being undertaken by the Garda, the results of which may also contribute to ensuring that the likelihood of such a random and in many ways abnormal event happening in the future are significantly reduced. The outcome of this review may be relevant to all other Irish and EU airports.

The Dáil adjourned at 9.10 p.m. until 10.30 a.m. on Wednesday, 25 May 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 9, inclusive, answered orally.

Questions Nos. 10 to 32, inclusive, resubmitted.

Questions Nos. 33 and 34 answered orally.

Questions Nos. 35 to 39, inclusive, resubmitted.

Questions Nos. 40 to 54, inclusive, answered orally.

Defence Forces Recruitment

55. **Deputy Pearse Doherty** asked the Minister for Defence his plans to increase the number of women in the Irish Defence Forces. [12055/11]

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 30 April 2011, the last date for which figures are available, was 570, of which 470 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 30 April 2011 was 148 Officers, 168 Non Commissioned Officers and 254 Privates. The percentage of female personnel serving on 30 April was 5.90% of the overall strength of the Force on that date.

[Deputy Alan Shatter.]

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.

Departmental Expenditure

56. **Deputy Dara Calleary** asked the Minister for Defence if he will identify any red line issues in his Department in terms of the forthcoming spending review. [12071/11]

Minister for Defence (Deputy Alan Shatter): The commencement of a comprehensive review of expenditure across all Government Departments was recently announced. This review will assist the Government in consolidating the public finances and in targeting resources at Government objectives. In this context, officials from my Department, in consultation with the Military authorities, are currently examining Defence expenditure. The Review will present options for savings in line with an analytical template provided by the Department of Public Expenditure and Reform. Departmental submissions will be reviewed by a central Steering Committee in advance of their being forwarded to Government. In order to ensure a comprehensive approach, no area of Defence expenditure will be exempted from the Review.

Delivering public services within a reduced resource envelope is a key challenge facing the entire public service. There is a requirement to ensure that programmes are effective and are delivered in the most efficient manner. It will also be necessary to prioritise within and between expenditure programmes, in light of the requirement for further fiscal consolidation.

The Defence Organisation has a proven track record of successful reform and modernisation. The skills acquired in this regard over the past decade will assist in identifying options for savings while maintaining the delivery of Defence services and capabilities to the greatest extent possible.

Defence Forces Training

57. **Deputy Sandra McLellan** asked the Minister for Defence if he will report on the training provided to members of the Defence Forces prior to being deployed overseas that allow them to respond to incidences of gender-based violence and any of his plans to expand or improve this training; and if he will make a statement on the matter. [12049/11]

Minister for Defence (Deputy Alan Shatter): The Defence Forces ensures that its personnel deploying on active service to missions throughout the world receive detailed instruction in the areas of human rights afforded to minorities and women, cultural awareness issues and codes of conduct and behaviour, both for the conduct of their respective missions and also their individual behaviour. Furthermore, the Defence Forces have a workplace policy on human rights and a dignity charter designed to create awareness of the Defence Forces' role and obligations in relation to gender-based violence and human rights. The training instruction delivered is tailored in order to fit a mission specific profile and to further contribute to Ireland's obligations pursuant to United Nations Security Council Resolution 1325. Prior to overseas deployment on Peacekeeping Operations, Defence Forces Personnel are specifically briefed on the 5th United Nations Standard Generic Training Module, which examines the following areas:—

- Code of Conduct for Military Peacekeepers
- Cultural Awareness

- Child Protection

In addition, in the course of mission preparation training, all units preparing for deployment are exercised and rehearsed in a variety of gender-based scenarios.

Additionally the United Nations Training School (UNTSI), based at the Defence Forces Training Centre on the Curragh, conducts two Human Rights Courses annually, one of which is open to invited international military and civilian participants. A core area examined in these courses is the issue of Gender-Based violence. This issue is also examined in two Civilian–Military Co-operation Courses (CIMIC) that are also conducted annually at the School. This year, for the first time, one of these CIMIC courses will be open to foreign participants.

Having regard to the extensive training already in place, there is no requirement at this time to expand gender training for the Defence Forces. The content of gender-related instruction and the range of training conducted is modified, on an ongoing basis, in accordance with best practice and international developments.

Defence Forces Deployment

58. **Deputy Jonathan O'Brien** asked the Minister for Defence if he will report on the cost to the State of the deployment of members of the Irish Defence Forces to Afghanistan since 2001 as part of the International Security Assistance Force; and if he will make a statement on the matter. [12048/11]

308. **Deputy Richard Boyd Barrett** asked the Minister for Defence if he intends to continue the deployment of Irish military personnel in Afghanistan; and if he will make a statement on the matter. [12287/11]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 58 and 308 together.

On 20 December 2001, the UN Security Council unanimously adopted Resolution 1386 under Chapter VII of the UN Charter, authorising the establishment of an International Security Assistance Force (ISAF) in Afghanistan. Ireland has participated in the NATO-led UN mandated mission since 5 July 2002, following the Government Decision of 2 July 2002, authorising the provision of seven (7) members of the Permanent Defence Force for service with the force. With the increasing use of more robust Chapter VII missions, the UN has turned to regional organisations such as the European Union, the African Union and NATO, to launch and manage operations on its behalf and under its authority.

Since 2002, the Government has reviewed and approved, on an annual basis, the continued participation by seven (7) members of the Permanent Defence Force in ISAF. On 29 June 2010, the Government approved continued participation by seven members of the Permanent Defence Force in ISAF for a further period from July 2010 subject to ongoing review by the Minister for Defence.

All seven (7) members of the Permanent Defence Force serving with ISAF are based at ISAF's headquarters in Kabul. Two of these personnel (an officer and a non-commissioned officer) are serving in the Counter Improvised Explosives Device (C-IED) Cell. The Irish officer in the cell acts as a technical adviser to ISAF headquarters and he is supported by a Company Sergeant who provides analysis on improvised explosive devices and related matters.

The annual additional cost to the Defence Vote arising from participation by the Defence Forces in ISAF is approximately €320,000. The main element of the cost is in respect of the payment of Overseas Allowance to the seven members of the Defence Forces serving in ISAF.

It is proposed that the Defence Forces will continue to serve with ISAF in the immediate future. In this regard, I will shortly bring a proposal to Government for continued participation

[Deputy Alan Shatter.]

by members of the Permanent Defence Force for a further period from July 2011 subject to ongoing review.

Ministerial Responsibilities

59. **Deputy Mary Lou McDonald** asked the Taoiseach if he will instruct his Ministers to follow the example of the Minister for Finance by publishing the departmental briefs they received on becoming Ministers; and if he will make a statement on the matter. [12536/11]

60. **Deputy Mary Lou McDonald** asked the Taoiseach if he will instruct his Ministers to follow the example of the Minister for Finance by publishing on their respective websites the incoming Minister Brief 2011 that they received on taking up their positions; and if he will make a statement on the matter. [12537/11]

The Taoiseach: I propose to take Questions Nos. 59 and 60 together.

I understand that all Departments — including my own — have placed the relevant briefing material on their websites.

State Visits

61. **Deputy Seán Kenny** asked the Taoiseach if he plans to invite the UN Secretary General Mr Ban Ki Moon to Ireland. [12698/11]

The Taoiseach: I have no immediate plans to invite the UN Secretary General Mr Ban Ki Moon to Ireland. The Secretary General visited Ireland in July 2009. He would be most welcome to re-visit Ireland at any time.

Passport Applications

62. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs the position regarding a passport application in respect of a person (details supplied). [12295/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): Due to peak seasonal demand on all passport services at present, passport applicants may experience some delays in the delivery of their selected passport service. This is very much regretted.

In the case of the person in question, an application for a passport was made to the Irish Embassy in London and subsequently registered by the Passport Office in Balbriggan which processes these applications. I can confirm that a passport for the person in question was issued on 17 May 2011 by the Passport Office in Balbriggan. This was sent to the Embassy that day from where it will be posted to the applicant in time for her journey.

63. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs the reason for the delays in the Passport Office. [12296/11]

Tánaiste and Minister for Foreign Affairs (Deputy Eamon Gilmore): Due to a surge in demand, the turnaround time for passport express applications received through the Passport Express system is currently running between 11 and 13 working days. It normally takes 10 working days. The Passport Express service is available for passport applications lodged in Ireland only. The Passport Service regrets the delay and any difficulties caused in this regard. Notice of the current extended turnaround time and its likely duration has been published on the Passport Service website www.passport.ie. The Passport Office has also informed An Post so that customers can be advised of the situation at the point of application. Applications made by ordinary post do not have a guaranteed turnaround service and normally take approximately 6 weeks. During the peak summer period, application processing times can lengthen for all

passport applications. In such circumstances, priority continues to be given to applications made through the Passport Express Service. Passport demand in general is currently running at a level 13% higher than the same period in earlier years. At present the Passport Service is receiving an average of 4,260 applications per day. This is an unprecedented level of demand, with the number of applications received from Irish residents alone in two recent days at over 5,200, exceeding by 700 the highest number previously for any one single day.

The largest increase has been observed in passports for children between the age of 3 and 18 and is running 16% over previous years.

The system is also coping with an unprecedented demand for passports at short notice, with some 350 people per day coming to the public office seeking passports within a period of less than 10 days. To protect the integrity of the system and the quality of the passport, the Passport Service cannot provide standard passports within a single day. The shortest turnaround time available is three working days for applications received over the public counter accompanied by proof of travel, other than in cases of genuine emergency.

The processing of a passport is a complicated and highly skilled process. Irish passports are among the most advanced in the world. Each passport contains biometric technology to assist with identity verification and to provide a high level of security. The Office has also recently strengthened the passport issuing process by providing further safeguards against fraudulent applications.

Additional temporary staff have been recruited and are in training. Within a short period, seasonal overtime and the additional output provided by temporary staff will bring processing times back to normal levels.

We would strongly appeal to the public to assist the Passport Service by checking the validity of their passports before making bookings to travel abroad. A valid passport should be the first item on any checklist when considering foreign travel.

Departmental Staff

64. **Deputy Seán Kenny** asked the Tánaiste and Minister for Foreign Affairs the number of persons employed by his Department by grade; and the pay scale of each grade. [12705/11]

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 Permanent Representation to the EU in Brussels and in Visa Offices operated within Embassies by staff seconded from the Department of Justice and Equality, except where their salaries and other costs are borne by their parent Departments. The table reflects the position as it was on 30 April 2011. I should also inform the Deputy that the Department of Foreign Affairs is obliged to shed a total of 177 posts over the period March 2009 to end December 2014 under the Government's current Employment Control Framework.

Grade	Number serving	Standard payscale for the grade € per annum
Secretary General	1	215,590
Second Secretary	2	188,640
Deputy Secretary	5	168,000
Assistant Secretary	37	127,796 – 146,191
Legal Adviser	1	127,796 – 146,191
Counsellor	49	80,051 – 98,424
Counsellor Higher	16	85,957 – 105,429

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Grade	Number serving	Standard payscale for the grade € per annum
Principal Officer	11	80,051 – 98,424
Principal Officer Higher	5	85,957 – 105,429
Principal Development Specialist	5	92,672 – 105,356
Senior Development Specialist	17.6	74,514 – 89,898
Development Specialist	25.8	61,966 – 76,768
Assistant Legal Adviser	6.5	61,966 – 76,768
First Secretary	87.5	61,966 – 76,768
First Secretary Higher	21.6	67,913 – 84,296
Assistant Principal	52.9	61,966 – 76,768
Assistant Principal Higher	14	67,913 – 84,296
Professional Accountant Grade 1	2	65,247 – 80,814
Professional Accountant Grade 2	2	55,863 – 69,132
Assistant Principal Architect	1	85,957 – 105,429
Senior Architect	1	59,719 – 80,814
Translator	1	55,863 – 69,132
Third Secretary	80	31,619 – 55,415
Third Secretary Higher	31	40,734 – 57,215
Administrative Officer	3	31,619 – 55,415
Higher Executive Officer	40.8	43,816 – 55,415
Higher Executive Officer Higher	19.55	46,426 – 57,251
Librarian	1	43,182 – 55,967
HEO Systems Analyst	6	43,816 – 55,415
Executive Officer	72.6	29,024 – 45,616
Executive Officer Higher	19.3	29,024 – 47,379
Executive Officer Trainee Systems Analyst	5	29,024 – 45,616
Architectural Assistant Grade 2	1	27,578 – 40,209
Staff Officer	41.9	33,070 – 43,906
Clerical Officer	358	22,015 – 35,515
Clerical Officer Higher	76.6	23,042 – 36,267
Cleaner	16	19,868 – 23,067
Head Services Officer	1	27,980 – 34,954
Services Officer	26.8	20,806 – 27,739
Nightwatchman	3	20,868 – 25,671
Temporary Clerical Officer	63	19,813 – 31,963
Intern under Willing/Able/Mentoring Project	1	26,121 – 41,054
Political appointees:		
Special Adviser	3	Details awaited from Dept Finance
Personal Assistant	4	43,715 – 56,060
Personal Secretary	3	23,820 – 47,755
Civilian Driver	3	32,965
Total	1,244.45	
Local Staff at missions abroad	299.6	
Total	1,544.05	

Public Service Recruitment

65. **Deputy Nicky McFadden** asked the Minister for Finance the position regarding the reserve jobs panel in respect of a person (details supplied); and if he will make a statement on the matter. [12400/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Public Appointments Service (PAS) that a competition for Temporary Clerical positions in the Public Service was announced by the PAS earlier this year. The purpose is to fill temporary vacancies arising in the Public Service as notified to the PAS over the coming year. Vacancies arising in the Department of Social Protection are among those being filled from this competition. This competition attracted in excess of 13,000 applicants who are competing for a relatively small number of vacancies. Following the first part of the selection process, candidates were rank ordered with only those placed highest being invited to interview. The number invited is determined by the number of vacancies arising in each of the regions concerned.

In the Longford/Westmeath region, there were approximately 600 applicants competing for 40 vacancies. There are 80 candidates placed in the top group who will be considered for interview in the first instance. In addition, others are placed in the reserve group. It is difficult to predict how many vacancies may arise in the Longford/Westmeath region during the life of this panel. Should a sufficient number of vacancies arise, PAS may be in a position to consider calling some candidates from the reserve group.

In the interests of candidate confidentiality, details relating to individual applications are not disclosed to third parties. However, individual candidates may contact the Recruitment Manager, PAS directly at 01-8587526.

Freedom of Information

66. **Deputy Michael McCarthy** asked the Minister for Finance if he will confirm if the vocational educational committees are subject to the Freedom of Information Act; and if this is not the case, the reason for same. [12672/11]

Minister for Finance (Deputy Michael Noonan): The Vocational Education Committees are not currently covered by the Freedom of Information Act. However the Programme for Government provides that the Government will legislate to restore the Freedom of Information Act to what it was before it was undermined by the outgoing Government, and that it will extend its remit to other public bodies including the administrative side of the Garda Síochána, subject to security exceptions.

It also proposes to extend Freedom of Information, and the Ombudsman Act, to ensure that all statutory bodies, and all bodies significantly funded from the public purse, are covered.

The Department of Public Expenditure and Reform is carrying out preparatory work to implement the above commitments. When this work is complete the Minister for Public Expenditure and Reform, Brendan Howlin T.D., will bring proposals to Government in relation to the Freedom of Information Acts. The proposals will include consideration of the extension of the provisions of the Freedom of Information Acts to Vocational Education Committees.

Tax Reliefs

67. **Deputy John O'Mahony** asked the Minister for Finance when a person (details supplied) in County Mayo will receive their DD1 form; and if he will make a statement on the matter. [12384/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that a Form DD1 (Application for tax relief in relation to vehicles purchased for use by people with disabilities) was received in the Central Repayments Office, Monaghan on 15th April 2011. A letter of authorisation confirming that the remission of VRT has been authorised was issued on 12th May, together with a request for the VIN details of the vehicle being purchased. On receipt of VIN (Vehicle Identification Number), an Exemption Notification to facilitate the registration of the adapted vehicle will issue.

Ministerial Responsibilities

68. **Deputy Michael McGrath** asked the Minister for Finance if Minister Howlin is in the position to direct any members of his administrative staff; and the governance structures which currently apply in the areas which will be transferred to the Department of Public Expenditure and Reform. [12401/11]

Minister for Finance (Deputy Michael Noonan): The Minister for Public Expenditure and Reform will be conferred with formal functions in relation to his Department under the Ministers and Secretaries (Amendment) Bill, 2011 which was published on 20 May 2011 and by way of transfer of functions Order timed to commence immediately after the enactment of the Bill.

In the interim, the Minister for Public Expenditure and Reform is working closely with staff of the Divisions that are transferring to the Department.

Any statutory functions that are now with the Minister for Finance and are proper to the Department of Public Expenditure and Reform will continue to be performed by the Minister for Finance pending the enactment of the Bill and the commencement of the transfer of functions Order referred to above.

Departmental Staff

69. **Deputy Michael McGrath** asked the Minister for Finance the person who is the Accounting Officer for the various sections of his Department. [12402/11]

Minister for Finance (Deputy Michael Noonan): Within the central government area, the Accounting Officer is usually the Secretary General or Civil Service head of a Department or Office to whom the Minister for Finance has assigned the responsibility for preparing the annual appropriation account for Votes under his or her aegis. In the table below, I have listed the Accounting Officers of Votes currently associated with the Department of Finance. The Accounting Officer for the Department is Mr. Kevin Cardiff and in the context of the establishment of the Department of Public Expenditure and Reform, it is proposed that Mr. Robert Watt, Secretary General for the Department of Public Expenditure and Reform will be appointed Accounting Officer for that Department. The establishment of the Department of Public Expenditure and Reform will also involve some realignment of bodies associated with the Department of Finance and the new Department.

Finance Vote Group — 23 May 2011

Vote	Organisation	Accounting Officer	Position
6	Department of Finance	Mr. Kevin Cardiff	Secretary General, Department of Finance
1	President's Establishment	Mr. Kevin Cardiff	As above
12	Secret Service	Mr. Kevin Cardiff	As above

Vote	Organisation	Accounting Officer	Position
7	Superannuation and Retired Allowances	Mr. Ciaran Connolly	Secretary General, Public Service Management and Development, Department of Finance
5	Office of the Comptroller and Auditor General	Mr. Gerard Smyth	Secretary and Director of Audit
8	Office of the Appeal Commissioners	Mr. John O' Callaghan	Appeal Commissioner
9	Office of the Revenue Commissioners	Ms. Josephine Feehily	Chairman of the Revenue Commissioner
10	Office of Public Works	Ms. Clare McGrath	Chairman
11	State Laboratory	Mr. Dermot Hayes	State Chemist
15	Valuation Office	Mr. Dermot Quigley	Chief Executive & Commissioner of Valuation
16	Public Appointments Service	Mr. Bryan Andrews	Chief Executive Officer
17	Office of the Commission for Public Service Appointments	Mr. Andrew Patterson	Director
18	Office of the Ombudsman	Mr. Pat Whelan	Director General

70. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of all non-established persons currently working in his Department [12403/11]

Minister for Finance (Deputy Michael Noonan): There are currently 32 persons working in a non-established capacity in my Department, encompassing a combination of fixed-term contracts and contracts of indefinite duration.

Electronic Payments System

71. **Deputy Paschal Donohoe** asked the Minister for Finance his e-payments strategy; and if he will make a statement on the matter. [12408/11]

72. **Deputy Paschal Donohoe** asked the Minister for Finance the position regarding the national payments implementation programme; and if he will make a statement on the matter. [12409/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 71 and 72 together.

Government policy is to promote the increased use of electronic payments throughout the economy, with the longer-term objective of significant reductions, over a number of years, in the volume of paper-based payments in use throughout the economy. This policy is fully aligned with and is developing in tandem with market and regulatory developments at EU level, including the Single Euro Payments Area (SEPA), the implementation of the Payment Services Directive from November 2009 and the recent implementation of the revised Electronic Money Directive from 30 April 2011. The Government has also promoted this policy objective through fiscal measures, including a reduction in stamp duty on combined ATM cards from €10 to €5 in Budget 2009, and an increase in stamp duty on cheques from 30 cent to 50 cent per cheque to further disincentivise cheque usage.

In 2009, at the request of the then Minister for Finance, the National Payments Implementation Programme Advisory Group provided recommendations to the then Minister for Finance on possible mechanisms to further promote the development of electronic payments in the

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economy. The Advisory Group's report found that Ireland still lags behind other EU Member States in terms of use of electronic payment instruments, such as credit transfers, direct debits and card-based payments.

The report endorsed the Government's commitment to the development and implementation of a new national payments plan. It also recommended a strategy to deal with those who currently do not have any facility to make and receive electronic payments and recommended the establishment of a Task Force to prepare the plan.

My Department is in discussions with stakeholders including the Central Bank of Ireland and the Irish Payment Services Organisation on how the recommendations of the Advisory Group can best be implemented and I propose to publish the Advisory Group's report in tandem with any future announcement on the next steps to be taken in relation to the Group's recommendations.

Separately, as part of the approval by the European Commission in July 2010 of restructuring of the banking sector, the Irish authorities committed to a number of market opening measures in order to enhance competition in the Irish banking market. One of the measures agreed was to implement a SEPA migration plan for the public sector by the third quarter of 2011. This commitment will promote economy-wide migration to SEPA which will, in turn, promote further competition in and modernisation of payment systems, including migration away from paper-based and cash processes. Draft legislation to set binding end-dates for full migration to SEPA is currently under consideration at EU level.

A separate commitment agreed with the European Commission of relevance to Government policy on electronic payments relates to support for and promotion of the availability of basic bank account services. I refer the Deputy to Question Reference No. 12410 on today's Order Paper which sets out progress to date in relation to this commitment.

Banking Sector Regulation

73. **Deputy Paschal Donohoe** asked the Minister for Finance the progress made on the commitment in the recapitalisation programme on the obligation to provide and promote basic or introductory bank accounts; and if he will make a statement on the matter. [12410/11]

Minister for Finance (Deputy Michael Noonan): As part of the restructuring plan process currently under way with the European Commission, it has been proposed that the domestic banking sector will be required to support and promote the availability of a basic bank account. This is to be done in the context of the implementation of the Government's strategy on financial inclusion in the State.

Work has recently concluded on a review of the options available to achieve greater financial inclusion — including the introduction of basic bank accounts by 2012. The objective of the review, which was undertaken by the Social Finance Foundation on my behalf, is to identify recommended actions to achieve a substantial reduction in financial exclusion over a 3-5 year period.

The preparation of the review was overseen by a steering group chaired by my Department and comprised of key stakeholders. I understand a draft report, which sets out the recommendations from the review, is currently being finalised, and I intend to publish this for consultation purposes in due course.

Financial Services Regulation

74. **Deputy Michael McCarthy** asked the Minister for Finance the number of registered

moneylenders here; the number of licences granted to moneylenders in 2008, 2009 and 2010 separately; his role in terms of auditing and overseeing such companies; the criterion necessary to establish as a moneylending organisation here; and if he will make a statement on the matter. [12413/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank has informed me that the number of licensed moneylenders as at 31 December in each year is as follows: 2008, 53; 2009, 52; 2010, 46. Moneylenders are required to apply to the Central Bank annually to have their licenses renewed. The number of licensed moneylenders on the public register, at any given time, is reflective of new applicants having been licensed and others having ceased trading.

I have no role in the auditing and overseeing of licensed money lenders. The Central Bank monitors licensed moneylenders' compliance with legislative and supervisory requirements by way of monitoring advertisements, themed inspections, general inspections and mystery shopping. The Deputy might wish to note that the Central Bank published the results of a themed inspection of licensed moneylenders on 18 February 2011, which showed a high level of compliance among firms.

The Central Bank has advised me that, prior to submitting an application for a moneylender's licence, an applicant must publish a notice of his/her intention to so apply in any national newspaper published in the State or in a local newspaper which is circulated in the District Court area where the applicant intends to engage in the business of moneylending.

The appropriate moneylending application form (new or renewal) must be completed and returned to the Central Bank with a number of items, for review and consideration. Section 93 of the Consumer Credit Act, 1995 (as amended) sets out the Central Bank's powers in relation to the grant or refusal of a moneylender's licence.

General Government Debt

75. **Deputy Peter Mathews** asked the Minister for Finance the most recent figure for the general Government debt as calculated by EUROSTAT; the amount of the debt that is promissory notes which are yet to be paid to the banks; and if he will make a statement on the matter. [12426/11]

Minister for Finance (Deputy Michael Noonan): As part of our bi-annual Maastricht returns we submitted our estimate of General Government Debt to Eurostat on March 31st this year. Following the usual consultation process, Eurostat published the details of the government debt and deficit levels for all EU 27 countries on April 26th. Ireland's General Government Debt for 2010 was estimated to have been €148 billion, or 96.2% of GDP. Included in this figure was €30.8 billion issued as promissory notes to certain Irish financial institutions. Despite this, no money was actually borrowed for these promissory notes in 2010. The reason the full amount of these promissory notes was included is because Eurostat rules require that debt be recorded in the year in which the obligation was recognised. The promissory notes will be paid over to the financial institutions in annual tranches. The first tranche of €3.08bn was paid in March this year.

Bank Debt

76. **Deputy Peter Mathews** asked the Minister for Finance the value of bonds outstanding in the six Irish banks; and if he will make a statement on the matter. [12427/11]

Minister for Finance (Deputy Michael Noonan): I am assuming the Deputy is referring to the total senior and subordinated bonds in the covered institutions. On 1 April 2011, the Central

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Bank published the total senior and subordinated debt issuances by those banks covered by the Guarantee as at March 2011. This information is available on the Central Bank's website at www.centralbank.ie. The total value of bonds as at March 2011 was €64,326 million.

The Central Bank of Ireland has advised me that as at 6th May 2011, the total value of bonds outstanding with the six banks covered by the Guarantee is €62,517 million.

Bank Funding

77. **Deputy Peter Mathews** asked the Minister for Finance the amounts owing by the six Irish banks to the ECB; and if he will make a statement on the matter. [12428/11]

78. **Deputy Peter Mathews** asked the Minister for Finance the amounts owing by the six Irish banks to the Irish Central Bank; and if he will make a statement on the matter. [12429/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 77 and 78 together.

The Central Bank of Ireland publish figures monthly on ECB lending to the Irish banking sector in its Money and Banking Statistics. The latest figures published by the Central Bank of Ireland (Table A.4 .1 Domestic Market Credit Institutions: Aggregate Balance Sheet) show that ECB lending to the six domestic banks totalled almost €82.8bn at the end of March. The end-April figures for ECB lending to the six banks are not due to be published by the Central Bank until the end of May. The March figure shows a reduction of almost €6bn from the end-February figure of almost €88.7bn. Much of this reduction in ECB borrowing that took place during March was due to the maturity or ineligibility of collateral being used in the operations.

The latest figures published by the Central Bank of Ireland (Table A.2 Financial Statement of the Central Bank of Ireland) show that the 'Other Assets' of the Central Bank totalled €54.1bn at the end of April. This 'Other Assets' figure includes lending by the Central Bank of Ireland to the six domestic banks.

The Deputy will be aware that the agreed EU-IMF Programme provides for a recapitalisation, fundamental downsizing, restructuring and reorganization of the Irish banking sector. The aim of the process is a smaller banking system, which will be capitalised to highest international standards should allow the financial institution access to normal market sources of funding. This will enable the Irish banks to reduce their reliance on Eurosystem and Central Bank funding mechanisms.

Mortgage Lending

79. **Deputy Peter Mathews** asked the Minister for Finance the amount of mortgage loans outstanding to the six Irish banks; and if he will make a statement on the matter. [12430/11]

Minister for Finance (Deputy Michael Noonan): I assume that the six Irish banks referred to by the Deputy are the six banks covered by the Government Guarantee Scheme (Bank of Ireland, Allied Irish Banks, EBS Building Society, Irish Nationwide, Irish Life and Permanent, Anglo Irish Bank). I have been advised by the Central Bank of Ireland that the amount of mortgage loans outstanding to the six banks is €139 billion of which €73.2bn is for Private Domestic Homes (PDH) in the Republic of Ireland at end of March 2011.

The Deputy may also wish to note that according to the latest Central Bank of Ireland statistics, for the quarter ended March 2011 there were 782,429 private residential mortgage accounts held in the Republic of Ireland to a value of almost €116 billion. These figures include mortgages with other lenders not covered by the Government Guarantee Scheme.

Private Sector Lending

80. **Deputy Peter Mathews** asked the Minister for Finance the outstanding credit advanced to the Irish private sector by the six Irish banks; the average interest rate of this credit; the average remaining term of loan; and if he will make a statement on the matter. [12431/11]

Minister for Finance (Deputy Michael Noonan): I assume that the Deputy is referring to the credit institutions covered by the Irish Government Eligible Liabilities Guarantee Scheme. I am informed by the Central Bank that the total amount of credit advanced to the Irish private-sector (non-financial corporate, households, non-bank financial intermediaries) on balance sheets by the credit institutions covered by the Irish Government Eligible Liabilities Guarantee Scheme at end-March was €225.3 billion. A weighted average interest rate for credit in total is not available, but the weighted average interest rate on outstanding loans to households and non-financial corporations in the market as a whole was 3.75 per cent at end-March. I do not have details on the remaining term of this credit as the monetary statistics are collected on the basis of the original maturity of the instruments concerned.

National Cash Reserves

81. **Deputy Peter Mathews** asked the Minister for Finance the value of cash reserves and all other investments held by the National Treasury Management Agency and the National Pensions Reserve Fund; and if he will make a statement on the matter. [12432/11]

Minister for Finance (Deputy Michael Noonan): The value of the cash reserves are:

National Treasury Management Agency

The National Treasury Management Agency (NTMA) was established in December 1990 to manage the assets and liabilities of the Irish Government/Exchequer. I am informed by the NTMA that cash reserves and other investments of €18.8 billion were held by the NTMA as of 18 May 2011, consisting of:

Exchequer Account — €5.2 billion

Cash on Deposit — Commercial Banks — €9.1 billion

Dormant Accounts Fund — €0.2 billion

Housing Finance Agency Guaranteed Notes — €3.7 billion

Other Ministerial funds — €0.6 billion

Total — €18.8 billion

The money placed on temporary deposit with the commercial banks has the effect of reducing the need for reliance on the Central Bank's exceptional liquidity assistance (ELA) facility. It also earns a higher return than if placed with the Central Bank. The €5.2 billion in the Exchequer Account represents the standard level of cash maintained by the NTMA to ensure the ongoing liquidity of the Exchequer. Under the EU/IMF Programme of Financial Support for Ireland, Ireland is to provide €17.5 billion as its contribution to the programme. Of this amount, €10 billion will be provided from the National Pensions Reserve Fund and the balance of €7.5 billion from domestic cash resources.

National Pensions Reserve Fund

The National Pensions Reserve Fund (NPRF) was established on 2 April 2001 under the National Pensions Reserve Fund Act 2000 for the purpose of meeting as much as possible of the cost to the Exchequer of social welfare pensions and public service pensions to be paid

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from the year 2025 until the year 2055, or such other year as may be specified by order. Subsequent amendments to the National Pensions Reserve Fund Act provide that the Minister for Finance may direct the National Pensions Reserve Fund Commission to invest in certain credit institutions, buy Government bonds and, until 2013, provide money to the Exchequer for capital purposes.

The total value of the National Pensions Reserve Fund, according to its most recently-published figures, was €23.2 billion at 31 March 2011. This can be broken down as shown in the following table.

As at 31 March 2011	€ billion
Directed Investments:	
— invested in Bank of Ireland and Allied Irish Banks on the direction of the Minister for Finance 2009	7.9
— held in cash on foot of a direction from the Minister for Finance in February 2011 (this will form part of the contribution required from the Exchequer under the EU/IMF Programme of Financial Support for Ireland)	5.5
Discretionary Portfolio: (i.e., available to the NPRF Commission for investment):	
— investments held by the NPRF Commission	8.4
— held in cash by the NPRF Commission	1.4
Total	23.2

The NPRF Commission was directed to realise a further €4.5 billion in April 2011, bringing the amount set aside by the NPRF Commission for the EU/IMF Support Programme from €5.5 billion to the full €10 billion envisaged.

Financial Services Regulation

82. **Deputy Barry Cowen** asked the Minister for Finance the number of complaints that are pending review by the Financial Services Ombudsman; the average waiting time for these cases; and his views on whether the Ombudsman has sufficient resources. [12472/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Financial Services Ombudsman that from January 2010 to date the Financial Services Ombudsman's Bureau has received over 10,000 complaints from individuals against financial service providers. In that period, 3,455 findings were issued and a further 6,107 cases were closed or settled. Currently 1,317 cases are with the investigation team and a further 1,158 cases are awaiting to be assigned to an investigator. The average waiting time for a finding to be issued once it has been decided to investigate a case is 9 months.

My officials are currently in discussions with the Financial Services Ombudsman's Bureau regarding resources. I should point out that the Financial Services Ombudsman is independent in the carrying out of his duties and that there is no role for me in the day to day workings of the office.

National Asset Management Agency

83. **Deputy Maureen O'Sullivan** asked the Minister for Finance the number of properties in Dublin central that are with the National Asset Management Agency. [12482/11]

Minister for Finance (Deputy Michael Noonan): NAMA advises me that the property or other assets securing loans transferred to NAMA remain in the possession of the debtor unless enforcement action is taken against the debtor by NAMA. Where enforcement action is taken by NAMA, the agency may ultimately take ownership of property but it is expected that in the majority of these instances the property will be managed by a receiver who is the agent of the debtor but who acts in accordance with NAMA's instructions. NAMA informs me that to date, it has not taken possession of property assets in Dublin Central or elsewhere. However, NAMA has approved the appointment of receivers in 57 cases to date. NAMA advises that in such cases, it is the responsibility of the receiver to realise the value of the property assets and to set the proceeds against the borrower's indebtedness.

Information on the location of properties which are under the control of NAMA receivers is not yet available but I am informed that, under an initiative currently in preparation, NAMA will shortly include on its website a database of properties which are under the control of receivers appointed to enforce against NAMA debtors (appointed either directly by NAMA or by participating institutions working on its behalf). This will provide a single source of information on NAMA assets which are for sale and it will be updated on a very regular basis. It is expected to be up-and-running within a matter of weeks.

National Debt

84. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a detailed breakdown of the total current level of debt held by the Government at the end of the first quarter of 2011 including details of the debt by lenders including the European Central Bank, EU, International Monetary Fund, Irish Central Bank, senior bondholders, subordinated bondholders, private banking institutions and by purpose of loan, that is, bank recapitalisation, National Asset Management Agency funding, Government current and capital expenditure; and if he will provide a detailed breakdown of the total projected interest on these loans for 2011. [12531/11]

Minister for Finance (Deputy Michael Noonan): National Debt is essentially the debt of the Exchequer and the increase in the level of National Debt from some €75 billion at end-2009 to just over €93 billion at end-2010 was primarily due to the fact that the Exchequer recorded a deficit of €18.7 billion in 2010. Just under €12.6 billion of the Exchequer deficit in 2010 related to the excess of current expenditure over current revenues while the balance was made up by the excess of capital expenditure over capital receipts. The purpose of Government borrowing is to meet the overall gap between total expenditure and total revenue and, as such, borrowing does not relate specifically to any expenditure item.

Ireland's National Debt stood at just under €101 billion at the end of the first quarter of 2011, up from just over €93 billion at the end of 2010. The National Treasury Management Agency (NTMA) publishes a breakdown of the instruments comprising national debt as at end-March 2011 and end-December 2010 and this is set out in the following table.

As sovereign debt is mainly issued through tradeable instruments, it is often sold on by the original purchaser on the secondary market. As such, there is no means of definitively ascertaining the current holders of outstanding Irish government debt. However, the Central Bank of Ireland estimates that international investors held 82 $\frac{1}{4}$ per cent of Irish Government bonds at end-2010. Interest costs on the National Debt in 2011 are estimated at €5.2 billion. This estimate is consistent with the budgetary projections contained in the recently published Stability Programme Update.

It should be noted that the National Debt differs from the General Government Debt, which is the standard measure used within the EU for comparative purposes. General Government

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debt stood at €148 billion or 96 per cent at end-2010. General Government Debt includes the National Debt as well as Local Government debt and some other minor liabilities of Government. As it is a gross measure, it does not allow the netting off of liquid assets, as is the case with the National Debt. In addition, due to fact that the General Government Debt operates on an accruals basis, the €31 billion in Promissory Notes committed to financial institutions in 2010 was added in full to the General Government Debt in that year. The cash payments to these institutions will only take place on a phased basis, beginning in 2011, with the first payment of €3.1 billion at the end of March.

While General Government gross debt at end-2010 stood at €148 billion, net debt was lower. Taking account of the funds held in the discretionary portfolio of the National Pensions Reserve Fund and other liquid assets, General Government net debt is estimated to have stood at approximately €117 billion or 76 per cent of GDP at end-2010.

As regards the outstanding debt of the banking sector, although the borrowings of the six covered institutions are being supported through the various bank guarantees, the debts of these institutions are not included in the calculation of the National Debt or the General Government Debt. The amount of guaranteed liabilities under the Eligible Liabilities Guarantee scheme as at the end of March 2011 was approximately €110 billion.

In terms of Central Bank and ECB lending to these institutions, the Central Bank has disclosed that, at the end of March 2011, borrowings from the ECB for the six covered institutions was €79.2 billion. The Central Bank has also disclosed that the value of the other assets category within its Financial Statement stood at €67 billion at end-March, with the substantial majority of this being comprised of Emergency Liquidity Assistance to the covered institutions.

Finally, as the Deputy is aware, the State's borrowing needs are currently being funded through the Joint EU/IMF Programme of Financial Support. By the end of March of this year, approximately €12 billion had been drawn down from the European funding facilities — the European Financial Stability Facility (EFSF) and the European Financial Stability Mechanism (EFSM) — while a further €5.8 billion had been drawn down from the IMF.

Instruments Comprising the Debt as at 31 March 2011

Instrument		31 March 2011		31 December 2010
		€ billion		€ billion
Medium/Long Term Liabilities (Note 1)		108.1		90.8
Short Term Liabilities (Note 2)	1.7		6.2	
Less Liquid Assets	-22.3		-16.2	
Net Short Term Liabilities		-20.6		-10.0
Retail debt (Note 3)		13.4		12.6
Total National Debt		100.9		93.4
Note 1				
Bonds quoted on the Irish Stock Exchange		89.8		90.1
Other Bonds and Private Placements		0.6		0.6
Borrowings under Joint EU/IMF Programme of Financial Support for Ireland		17.6		0.0
Other		0.1		0.1
Total		108.1		90.8

Instrument		31 March 2011		31 December 2010
		€ billion		€ billion
Note 2				
Irish Treasury Bills		1.2		5.9
Exchequer Notes		0.4		0.2
Section 69		0.0		0.0
European Commercial Paper Programmes		0.5		0.8
US Commercial Paper Programmes		0.0		0.0
Other		-0.4		-0.7
Total		1.7		6.2
Note 3				
Savings Certificates/National Solidarity Bond		4.6		4.3
Savings Bonds		4.5		4.2
NIS		0.5		0.5
Prize Bonds		1.4		1.3
Post Office Savings Bank Fund Deposit Accounts		2.5		2.3
Total		13.4		12.6

Note 4: All the figures in the above table are rounded to one decimal place; as a result some subtotals may not add correctly.

Note 5: Figures for 31 Dec 2010 and 31 March 2011 are unaudited. Retail debt balances are estimates and subject to change.

Consultancy Contracts

85. **Deputy Mary Lou McDonald** asked the Minister for Finance the consultancy contracts undertaken by a company (details supplied) on behalf of his Department in each of the years from 1993 to 2001; and the amounts paid to same during this period. [12542/11]

Minister for Finance (Deputy Michael Noonan): The following table details amounts paid to the company in question from 1993 to 2001.

Year	Amount	Detail
2001	£32,224.93	Public Transport Evaluation

Departmental Agencies

86. **Deputy Brendan Griffin** asked the Minister for Finance in view of the €2.5 million in compensation paid to an organisation (details supplied) and the Supreme Court order for costs against Campus Stadium Ireland in the VAT dispute, if he intends to make the executive services team accountable for these losses to the Exchequer; and if he will make a statement on the matter. [12554/11]

Minister for Finance (Deputy Michael Noonan): This matter involves a State agency that falls within the aegis of my colleague the Minister for Transport, Tourism and Sport. It is a matter therefore for him whether or not there is an issue that needs to be followed up.

Flood Relief

87. **Deputy Michael McGrath** asked the Minister for Finance the position regarding a certain flood relief project (details supplied) in County Cork. [12565/11]

Minister of State at the Department of Finance (Deputy Brian Hayes): The Office of Public Works is currently considering an application received from Cork County Council for funding under the Minor Flood Mitigation Works Scheme to undertake works at the location concerned. The proposed works involve the construction of flood defences in the area. It is expected that a decision on the application will be made in the near future.

Tax Code

88. **Deputy Michael McGrath** asked the Minister for Finance if information has been published showing the current effective income tax rate including the universal social charge for a person in different circumstances, such as single, married and so on. [12636/11]

Minister for Finance (Deputy Michael Noonan): The 2011 Budget Booklet, Annex A pages C19-C21 provides a comprehensive illustration of the average tax rates for the years 1997 to 2011 inclusive, for the various house-hold types at different income levels under a range of PRSI classes such as full PRSI (Class A) and self-employed (Class S). This information can also be obtained on the following website *<http://www.budget.gov.ie>*.

Croke Park Agreement

89. **Deputy Sean Fleming** asked the Minister for Finance when the next detailed report will be issued in relation to the Croke Park agreement; and if he will make a statement on the matter. [12639/11]

Minister for Finance (Deputy Michael Noonan): Progress under the Public Service Agreement 2010-2014 is overseen by the Implementation Body, established in July 2010 and chaired by Mr. P.J. Fitzpatrick. In line with paragraph 1.16 of the Agreement, a review of progress is to be undertaken on an annual basis by the Body to determine the sustainable savings that have been achieved. The first such review is currently underway. As part of the review, the Body is assessing detailed submissions from each sector on the progress to date on delivering the actions set out in their sectoral Action Plans as well as details on sustainable savings achieved over the past twelve months.

I understand that the Body will shortly finalise its report which will then be submitted to Government for consideration and published thereafter.

Departmental Properties

90. **Deputy Sean Fleming** asked the Minister for Finance the payments by the Office of Public Works to an organisation (details supplied) in County Laois or to the Department of Education and Skills in connection with that organisation for each of the past five years; and if he will make a statement on the matter. [12640/11]

Minister of State at the Department of Finance (Deputy Brian Hayes): The Minister for Education and Skills is the registered owner of the property. No payments were made to Heywood Community School or to the Department of Education by the Office of Public Works in respect of the property.

Pension Fund Levy

91. **Deputy Michael McGrath** asked the Minister for Finance his views on the implications

of the proposed pension fund levy on the take-up of private pensions and the contribution levels of existing pension holders; and if he will make a statement on the matter. [12647/11]

92. **Deputy Michael McGrath** asked the Minister for Finance if he will confirm that he does not intend to extend the proposed pension fund levy beyond pension funds to include other assets including commercial and household deposit savings and life assurance funds. [12650/11]

93. **Deputy Michael McGrath** asked the Minister for Finance the measures he will bring forward to moderate the impact of the pension fund levy on defined benefit pension schemes which are in deficit and may be required to reduce employee benefits to meet solvency requirements. [12651/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 91 to 93, inclusive, together.

I would very much hope that individuals already saving for their retirement and those considering doing so would not be influenced in a negative way by the pension fund levy. The levy is a relatively small charge on the significant assets of pension funds, much of which are represented by investments outside of Ireland. As the legislation introducing the levy makes clear, it is for a temporary four year period only and pension funds are being asked to make a contribution to getting the domestic economy moving again over that period. This is a reasonable and targeted tax measure being introduced to fund the various measures set out in the Jobs Initiative. The country is facing an economic and unemployment crisis and the Jobs Initiative will help tackle that crisis and applying a temporary levy to pension funds is less damaging economically than raising other taxes.

I am aware that the pensions sector is also concerned, given the imposition of the temporary levy, about the commitment in our agreement with the EU/IMF to reduce the tax relief on pension contributions starting next year. I have undertaken to examine this issue in the context of the results of the Comprehensive Review of Expenditure currently being undertaken by the Minister for Public Expenditure and Reform, and any resulting scope for fiscally neutral changes to the EU/IMF agreement.

There has been some speculation that the Government would proceed to “raid” investment funds or deposit accounts. I want to assure the House that the Government has no plans whatsoever in this regard. The Government regards it as its top priority to safeguard the security of savings and would not wish to consider any step that would impact negatively upon confidence. Other savings or investment products have not benefited from the generous tax reliefs that pension savings have historically been granted and continue to receive. Deposit accounts and savings products have already been subjected to additional taxation in recent budgets, via the increase in the rate of DIRT and exit taxes, neither of which impacted on pension funds.

The levy will not apply to occupational pension funds where the trustees pass a resolution to wind-up the fund and where the trade or undertaking in relation with which the scheme was established is insolvent. Neither will it apply, for example, to the assets of occupational pension funds in respect of the provision of retirement benefits to active, deferred or former retired members whose employment in relation to the scheme is and always was exercised outside the State. The aim, in this context, is to exclude members of pension funds approved by the Revenue Commissioners who have no connection with Ireland as such.

The chargeable persons for the purpose of the pension fund levy will be the scheme administrators, that is the trustees or other persons having the management of the assets of the pension schemes or plans. It will be up to those trustees and administrators to decide whether and how the levy should be passed on and who should be impacted and to what extent, given the

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particular circumstances of the pension schemes or pension plans for which they are responsible. In that regard, and as already indicated since the announcement of the levy, legislative provision is being made to allow pension scheme trustees or administrators the option to adjust the benefits payable under pension schemes or plans.

National Lottery Funding

94. **Deputy Sean Fleming** asked the Minister for Finance the amounts received from the national lottery in respect of worthy causes for each of the past five years; the amounts paid out to each Department in each of those years; the current balance on hand in his Department; his plans to distribute the funding that is being raised by the national lottery for good causes; and if he will make a statement on the matter. [12659/11]

Minister for Finance (Deputy Michael Noonan): The surplus generated by the National Lottery is transferred regularly to the Exchequer. The surplus transferred is applied to part-fund the Exchequer allocations to a specified range of expenditure subheads across various Votes. The amount transferred to the Exchequer from the National Lottery surplus, together with details of the total Exchequer allocations to the relevant subheads are published each year in Appendix 1 of the annual “Revised Estimates for Public Services”.

The following table is a summary of the information contained in Appendix 1 of the “Revised Estimates for Public Services” for the past five years.

Exchequer Allocations to Government Departments for subheads that are part-funded by the National Lottery (€m)

	2006	2007	2008	2009	2010
Vote 6 Department of Finance	8.618	8.618	8.618	8.618	8.618
Vote 25 Department of Environment, Heritage and Local Government	75.023	82.800	97.663	90.459	91.590
Vote 26 Department of Education and Skills	39.041	44.954	2.618	1.148	1.060
Vote 27 Department of Community, Equality and Gaeltacht Affairs	87.368	105.641	108.519	97.289	88.716
Vote 35 Department of Tourism, Culture and Sport	178.277	186.907	196.939	183.765	168.263
Vote 36 Department of Defence	0.749	0.879	0.803	0.800	—
Vote 39 Department of Health and Children	3.757	3.901	3.985	3.985	3.786
Vote 40 Health Service Executive	6.344	10.241	9.052	9.983	10.052
Vote 41 Office of the Minister for Children and Youth Affairs	—	—	43.567	39.340	38.600
Total	399.177	443.941	471.764	435.387	410.685
Of which: transferred to the Exchequer from the surplus of the National Lottery	200.000	230.000	265.000	275.000	250.000

Note: Since 2005, the expenditure allocations for the relevant subheads exceed the amount available from the National Lottery surplus. Therefore, these subheads are now described as being “part-funded by the National Lottery” and the balance of the expenditure comes from normal Exchequer sources.

An estimated amount of €230m will be available from the National Lottery in 2011 to support Exchequer funding for good causes. The proposed expenditure on good causes by the various Government Departments is set out in Appendix I of the Revised Estimates for 2011.

95. **Deputy Dara Murphy** asked the Minister for Finance if he will consider authorising an updated version of the National Lottery Beneficiary Compendium in view of the fact that the most recent version was published in 1998. [12663/11]

Minister for Finance (Deputy Michael Noonan): For the past number of years, each Government Department with responsibility for expenditure that is part-funded by the National Lottery surplus publishes details of such expenditure (including lists of recipient organisations and amounts involved) on the Department's website. Links to all this data are also provided from the National Lottery's website. In view of this, there are no plans to prepare an updated National Lottery Beneficiary Compendium.

Government Expenditure

96. **Deputy Mary Lou McDonald** asked the Minister for Finance the date upon which the Government's capital expenditure review, with the focus on programmes and projects that will best support economic recovery, will be completed. [12677/11]

Minister for Finance (Deputy Michael Noonan): The Review of Capital Expenditure is currently underway and is running in parallel with the Comprehensive Review of Expenditure. It is intended that the review will be completed in the autumn. Programmes and projects that support economic recovery will be at the core of the capital review.

Tax Code

97. **Deputy Michael McGrath** asked the Minister for Finance the reason tax relief on rent paid does not apply to local authority tenants; and if he will make a statement on the matter. [12692/11]

Minister for Finance (Deputy Michael Noonan): Section 473 of the Taxes Consolidation Act, 1997 provides tax relief at the standard rate to individuals who pay for private rented accommodation that is used as their sole or main residence. The level of rent qualifying for rent relief depends on an individual's marital status and age. In Budget 2011, it was announced that rent relief was being withdrawn on a phased basis. No new claimants are allowed from 7 December 2010 and existing claimants will continue to receive the relief on a reducing basis, with a complete cessation of the relief from 2018. The maximum tax credit available under the scheme in 2011 is €1,280/€640 per annum for a married couple/individual over 55 years of age and €640/€320 for a married couple/individual under 55 years of age.

However, tax relief is not available on rent paid in the following circumstances:

- Tenancies held from Local Authorities, Government Departments or the Office of Public Works
- A tenancy for a freehold estate or interest, or a tenancy for a definite period of 50 years or more and
- Tenancies in relation to which there is an agreement that the rent paid may be treated as a consideration or part consideration for the purchase or future purchase of the property.

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Rent relief is not available for Local Authority tenancies because these rents are, in effect, subsidised. Tenants pay rents which are calculated with reference to household income and ability to pay. In practice, the level of rent is well below the prevailing market rent. Furthermore, among the other advantages which local authority tenants enjoy are greater security of tenure *vis-à-vis* the wider rental sector and the right to buy the property at a marked discount.

Motor Vehicle Seizures

98. **Deputy Seán Kenny** asked the Minister for Finance the number of vehicles seized by the Customs and Excise for the years 2007, 2008, 2009, 2010 and to date in 2011; the penalties applied to drivers in order to get their vehicle released; and the number of vehicles that have been crushed. [12703/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Revenue Commissioners that the law provides for the seizure of motor vehicles in respect of which customs, excise or vehicle registration tax offences have been committed. However, except where serious offences such as cigarette or drug smuggling are involved, or where there are particular aggravated circumstances, it is normal Revenue practice to return seized vehicles to their owners on payment of a compromise penalty in lieu of prosecution.

The following table reflects the information requested by the Deputy.

Vehicles Seized and released on penalty payment

Year	Vehicles Seized	Penalty Paid
		€
2007	1,244	1,178,026
2008	1,837	1,663,252
2009	2,218	1,486,502
2010	2,344	1,443,079
2011 to date	868	415,675

Since 2007, the total number of seized vehicles that have been destroyed by crushing is 215. Precise figures for vehicles actually crushed in individual years are unavailable. Roadworthy vehicles that are not returned to their owners are disposed of by tender through the registered motor trade.

National Drugs Strategy

99. **Deputy Seán Kenny** asked the Minister for Finance the number of dogs in each Customs dog unit; and his plans to increase the number of dogs. [12704/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that their Customs Service currently deploys 13 units, each comprising a detector dog and handler, at strategic locations throughout the country. The dogs are used to detect drugs, tobacco and cash. Passive dogs are used as this allows for the screening of passengers as well as merchandise and baggage. The detector dog units play an important role in delivering on Revenue's commitments to the Supply Reduction Pillar of the Government National Drugs Strategy. In keeping with these commitments Revenue has considerably enhanced its drug detection capability on a number of fronts in recent years. Dog teams also play a key role in

detecting illicit tobacco products and the transit of cash derived from criminal activity. The number of dog units was increased from 6 in 1993 to 9 in 2003 and it now stands at 13.

Revenue carries out ongoing assessment of the drugs, tobacco and currency smuggling risks and allocates additional resources where necessary. While the dog units are primarily stationed within their region of assignment, they are available for deployment elsewhere when appropriate. The Revenue Commissioners have recently approved the establishment of an additional tobacco detector dog unit. It is envisaged that this unit will become operational in 2012.

As part of its strategy Revenue ensures that the detector dog units maintain a high public visibility at the ports, airports, postal depots and freight forwarding premises in which they routinely operate. The Customs dog units also assist An Garda Síochána in the course of operations, when their presence is requested.

Banking Sector Regulation

100. **Deputy Shane Ross** asked the Minister for Finance the status of those who will interview candidates for the positions on bank boards as advertised in the media; the way the interview board was selected; the interviewers' expertise in the financial area; if they will be selected purely from the ranks of his Department; if there will be any representatives of the private sector on the interview board; the procedures they will adopt for interviewing; if interviewers will be politically approved; if they will be expected to declare any possible conflicts of interest; and if he will identify the officials in his Department who will carry out the initial process that eliminates some of the applicants from reaching the interview process. [12740/11]

Minister for Finance (Deputy Michael Noonan): As already communicated to the Deputy, the next phase of the process to shortlist and evaluate the large number of expressions of interest received — just short of 500 when control checks were applied to the total number of applications received — is under consideration.

Bank Guarantee Scheme

101. **Deputy Peter Mathews** asked the Minister for Finance further to Parliamentary Question No. 102 of 17 May 2011, if he will also provide this breakdown to this Deputy; and if he will make a statement on the matter. [12756/11]

Minister for Finance (Deputy Michael Noonan): My officials are in the process of gathering this information and I will provide the Deputy with the breakdown as he has requested as soon as it is available.

Banking Sector Regulation

102. **Deputy Brendan Griffin** asked the Minister for Finance the grievance procedures that exist for customers of State supported banks or financial institutions; his plans for reviewing existing grievance procedures; and if he will make a statement on the matter. [12777/11]

Minister for Finance (Deputy Michael Noonan): The Central Bank's Consumer Protection Code (the Code) is applicable to all entities which the Central Bank regulates (regulated entities). These entities include State supported banks and financial institutions. The Code requires, among other things, that a regulated entity must ensure that in all its dealings with customers and within the context of its authorisation it acts:—

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- honestly, fairly and professionally in the best interests of its customers and the integrity of the market,
- with due skill, care and diligence in the best interests of its customers.

Any breach of the Code may be considered under the Central Bank's Administrative Sanctions Procedure.

If the customer falls within the definition of “consumer” for the purposes of the Code and he or she feels that he or she has been improperly treated, or that he or she has grounds for complaint for some other reason, then a complaint should be made directly to the regulated entity. If the complaint has not been addressed to his or her satisfaction, the person may refer the complaint to the Financial Services Ombudsman, who deals with individual consumer complaints. The Ombudsman will adjudicate on the complaint on the basis of the regulatory requirements on the regulated entity.

For the purposes of the Code a “consumer” is any of the following:—

- a) a natural person acting outside his or her business, trade or profession,
- b) a person or group of persons but not an incorporated body with an annual turnover in excess of €3 million,
- c) incorporated bodies having an annual turnover of €3 million or less in the previous financial year,
- d) a member of a credit union.

The Central Bank is currently undertaking a review of the Code and issued a Consultation Paper last October. I understand that, as part of this review, a second consultation paper is to be published at the end of June.

Tax Code

103. **Deputy Catherine Byrne** asked the Minister for Finance the reason VAT is payable on the carbon tax; and if he will make a statement on the matter. [12778/11]

Minister for Finance (Deputy Michael Noonan): The amount on which VAT is chargeable, in accordance with section 37(1) of the Value-Added Tax Consolidation Act 2010, is the total consideration receivable by the supplier, “including all taxes, commissions, costs and charges whatsoever” but not including the VAT itself. VAT is governed by the EU VAT Directive, to which Irish VAT law must comply. Article 78 of the VAT Directive provides that the taxable amount shall include “taxes, duties, levies and charges, excluding the VAT itself”.

In this respect, where a supply of service, such as a utility bill, includes carbon tax, VAT law dictates that VAT should be calculated on the carbon tax element of the charge as well as the charge for the service. The same situation applies in the case of other excises, including for example excises on petrol, auto-diesel, tobacco and alcohol products.

Guidance in relation to the VAT treatment of the total consideration receivable by a supplier is set out in the *VAT Guide*. This publication is available on the Revenue website at www.revenue.ie.

Banking Sector

104. **Deputy Dominic Hannigan** asked the Minister for Finance the reason he paid the IBEC membership fee for Anglo Irish Bank in the years 2007, 2008, 2009, 2010 and 2011; and if he will make a statement on the matter. [12786/11]

Minister for Finance (Deputy Michael Noonan): I have paid no fees to IBEC in respect of Anglo Irish Bank. As the Deputy is aware, the day to day running of the bank is a matter for the Board of Anglo Irish Bank. This includes matters in respect of representation and training requirements for its staff. Prior to and after nationalisation, the membership of and fees paid to IBEC, to which the Deputy refers, are a matter for the board of Anglo Irish Bank.

Tax Code

105. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a full list of all personal and corporation tax expenditures currently operating here; and if he will provide an estimation of the revenue lost to the State as a result of these and previously existing expenditures in 2008, 2009, 2010 and 2011 including a breakdown of revenue lost per expenditure type. [12855/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the total identifiable costs to the Exchequer of all income tax and corporation tax allowances, reliefs, exemptions and tax credits available are set out in the following tables for 2007 and 2008, the most recent year for which the necessary detailed historical information is available. Relevant notes relating to items in the tables are also included.

Index of Tables and Notes

- a) Note on the Cost of Tax Credits, Allowances and Reliefs 2007 & 2008
- b) Table IT 6 showing Cost of Tax Credits, Allowances and Reliefs 2007 & 2008
- c) Notes on Table IT 6
- d) Note on Green Paper on Pensions
- e) Estimate of cost of certain property-based tax incentives and incomes exempt from tax for 2007 and 2008
- f) Note on reliefs in respect of which costs are not currently quantifiable or are negligible or are not identifiable within total aggregates.

Estimates of the corresponding costs to the Exchequer for years 2009, 2010 and 2011 are not available.

COST OF TAX CREDITS, ALLOWANCES AND RELIEFS 2007 AND 2008

The following table IT 6 shows the estimated cost in terms of revenue forgone of the personal tax credits and the main reliefs and deductions allowable under the income tax system. A number of reliefs which apply both to individuals and companies is also included and the cost shown in relation to these reliefs covers income tax and corporation tax.

An adjustment is included in the cost figures applying to income tax to compensate for incomplete numbers of tax returns on record at the time of compiling the estimates.

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The tax credits and reliefs listed in the table serve varying purposes. Many are essentially structural reliefs through which individual tax liabilities are adjusted to reflect relative taxable capacity. The main personal tax credits are a good example of this since they may be regarded as part of the progressive income tax structure representing a band of income chargeable at a zero rate. Others, such as relief for interest paid in full or investment in corporate trades, are tax-based incentives in favour of specific groups or activities which are designed to promote certain aspects of public policy.

In computing taxable profits, account needs to be taken in some way of the depreciation of capital assets incurred in earning those profits. To this extent, the figures in the table of the “costs” of capital allowances should not be regarded as measuring a “loss of tax revenue” on profits. To compute such “loss”, regard would have to be had to the excess of the amount of the capital allowances at current rates over the amount of the normal allowances.

The figures shown for the basic personal tax credits (married, single and widowed) are the costs of these tax credits as if all other tax credits and the exemption limits did not apply. They do not include individuals who are not on Revenue records because their incomes are below the income tax thresholds. The cost figures for the exemption limits are based on the excess of the exemption limits over the basic personal tax credits. The figures of cost are for 2008 and 2007 and all figures are based on tax due in respect of assessments for each year and not on tax receipts within that year.

The figure against each credit or allowance represents the additional tax which would become payable if the tax credit or allowance were withdrawn assuming no consequent change in the behaviour of taxpayers (for example, in relation to the reliefs for savings), or the amounts of payments (for example, interest payable on certain savings schemes might need adjustment to take account of the new tax liability).

The numbers of claimants of each credit or relief are shown for both years to the extent that they are available. The numbers included are the taxpayers who would be adversely affected by the withdrawal of the respective credit or relief.

In the calculations, each tax credit or allowance has been dealt with separately and on the assumption that the rest of the tax system remained unchanged. It would be therefore inaccurate to calculate the effect of withdrawing all the credits, reliefs and allowances by simply totalling the figures. For example, the costs shown for capital allowances and stock relief are also calculated on the basis of separate withdrawal of these reliefs. Their combined cost would be greater than the sum of the separate costs because allowances are not always fully set off against available profits. For instance, a person with €1,000 gross trading profits, €1,000 capital allowances and €1,000 stock relief would pay no tax if either of the reliefs were withdrawn but would pay tax on €1,000 profits if both reliefs were withdrawn. In this case, the cost of each relief separately is nil but the combined cost is tax on €1,000. Basic data is not available to enable an estimate of the combined cost of these reliefs to be made.

The figures for estimates based on tax returns have been grossed up to an overall expected level to adjust for incompleteness in the numbers of returns on record at the time the data was extracted for analytical purposes.

Apart from the artists exemption, these figures do not take account of the application of the restriction of reliefs originally provided for in section 17 of Finance Act 2006, which took effect from 1 January 2007. The restriction was extended by Section 23 Finance Act 2010.

Finally, the estimates shown in many cases are tentative and are subject to revision in the light of later information.

INCOME TAX AND CORPORATION TAX

TABLE IT6 Cost of Tax Credits, Allowances and Reliefs 2007 and 2008

Tax Relief Provision	(1) Estimated cost for			
	2007		2008	
	€m	Numbers	€m	Numbers
INCOME TAX				
Exemption limits:				
General Exemption (2)	0.0	0	0.0	0
Child Addition (2)	0.2	800	0.3	900
Age Exemption (2)	75.3	51,500	90.8	57,700
Married Person's Credit (3)	2,776.7	834,900	2,944.9	853,100
Single Person's Credit (3)	2,392.0	1,552,800	2,406.8	1,503,300
Widowed Person's Credit (3)	171.3	79,500	184.3	81,100
Additional Credit to Widowed Person in Year of Bereavement	4.8	4,000	4.9	4,000
Additional Bereavement Credit to Widowed Parent	6.6	2,400	6.9	2,300
Additional Personal Credit for Lone Parent	199.0	122,200	197.4	116,700
Homecarer Credit	68.5	92,200	79.5	93,100
Additional Credit for Incapacitated Child	31.7	11,700	39.0	12,300
Employee (PAYE) Credit	3,153.1	1,732,000	3,253.8	1,710,200
Dependent Relative Credit	1.8	17,600	2.0	18,700
Person Taking Care of Incapacitated Taxpayer	4.6	1,070	5.8	1,260
Age Credit	33.7	82,900	42.3	88,100
Blind Person's Credit	2.0	1,240	2.1	1,320
Medical Insurance Premiums (4)	300.3	1,195,300	321.0	1,322,400
Health Expenses	225.7	496,300	266.8	542,600
Contributions Under Permanent Health Benefit Schemes, after Deduction of Tax on Benefits Received (5)	3.6	26,300	4.0	29,200
Employees' Contributions To Approved Superannuation Schemes (6)	590.0	708,500	655.0	792,600
Employers' Contributions To Approved Superannuation Schemes (6)	150.0	364,700	165.0	362,700
Exemption of Investment Income and Gains of Approved Superannuation Funds (6)*	900.0	N/A	685.0	N/A
Exemption of employers' contributions from employee BIK	540.0	364,700	595.0	362,700
Tax Relief on "tax free" lump sums (6)	130.0	N/A	140.0	N/A
Retirement Annuity Premiums	407.9	121,300	352.8	116,000
Personal Retirement Savings Accounts	61.1	46,600	73.8	53,900
Interest paid:				
Loans relating to Principal Private Residence	542.7	720,000	704.6	778,100

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Tax Relief Provision	(1) Estimated cost for			
	2007		2008	
	€m	Numbers	€m	Numbers
Other (7)	46.9	5,300	48.5	5,400
Rent Paid in Private Tenancies	82.1	206,000	96.5	222,100
Expenses Allowable to Employees under Schedule E	69.8	894,400	75.2	835,900
Third Level Education Fees	18.1	34,500	19.9	36,000
Exemption of Certain Earnings of Writers, Composers and Artists	27.4	2,650	21.8	2,630
Dispositions (Including Maintenance Payments made to Separated Spouses)	20.5	7,220	22.3	7,820
Exemption of Interest on Savings Certificates, National Instalment Savings & Index Linked Savings Bonds	130.3	N/A	88.1	N/A
Rent a Room	4.7	3,180	5.6	3,600
Exemption of Income of Charities, Colleges, Hospitals, Schools, Friendly Societies, etc. (8) (10)	30.7	N/A	35.8	N/A
Retirement Relief for certain Sports Persons.(9)	0.2	20	0.2	17
Exemption of Irish Government Securities where owner not ordinarily resident in Ireland (10)*	240.8	N/A	320.8	N/A
Exemption of Statutory Redundancy Payments	87.6	25,000	85.4	29,800
Service Charges	24.4	413,100	27.1	455,200
Top Slicing Relief — Reduced Tax Rate for Payments in Excess of Exemption Amounts Made as Compensation for Loss of Office	27.8	3,020	44.7	3,790
Revenue Job Assist allowance	0.3	360	0.2	330
Allowance for seafarers	0.3	170	0.3	160
Trade Union Subscriptions	20.7	316,300	26.4	341,900
Exemption From Tax of Certain Social Welfare Payments:				
Child benefit*	355.0	347,760	435.3	401,200
Early childcare Supplement*	84.3	193,200	98.3	195,200
Maternity allowance*	15.2	20,950	18.2	23,420
Foster Care Payments	29.4	3,330	28.1	3,470
Exemption of Income arising from the Provision of Childcare Services		0.7	400.0	0.8440.0
Approved Profit Sharing Schemes*	107.6	98,870	99	111,180
Savings-Related Share Option Schemes*	11.9	2,600	1.3	2,800
Approved Share Option Schemes*	3	1000	0.08	280
Relief for New Shares Purchased by Employees	0.2	210	0.3	280
Investment in Corporate Trades (BES)	17.5	1,900	55.7	3,200
Investment in Seed Capital	2.3	63	1.7	56
Stock Relief*	2	N/A	2.0	N/A
Relief for expenditure on significant buildings and gardens	5.0	210	5.9	290

Tax Relief Provision	(1) Estimated cost for			
	2007		2008	
	€m	Numbers	€m	Numbers
Donation of Heritage items	5.3	4	4.7	5
Donation of Heritage property to the Irish Heritage Trust	1.9	7	3.6	4
INCOME TAX AND/OR CORPORATION TAX (11)				
Donations to Approved Bodies	47.6	110,700	52.4	131,100
Donations to Sports Bodies. (9)	0.4	700	0.3	850
Employee Share Ownership Trusts*	4.4	26,000	8.4	29,200
Total Capital Allowances (12)	2,019.2	270,900	2,176.6	270,200
Rented Residential Relief — Section 23 (13)*	133.6	2,920	74.7	2,429
Effective Rate of 10% for Manufacturing and Certain Other Activities (14)	406.9	2,667	160.9	1,046
Double Taxation Relief	610.8	17,600	596.5	18,000
Investment in Films*	31.1	3,000	32.8	3,200
Group Relief	254.1	1,936	450.3	2,430
Research & Development Tax Credit (15)	165.6	479	146	582

NOTES ON TABLE IT 6

(1) Figures accompanied by an asterisk * are particularly tentative and subject to a considerable margin of error.

(2) The cost figures for the exemption limits are based on the excess of the exemption limits over the basic personal tax credits. They include the cost of marginal relief for taxpayers whose incomes are not greatly in excess of the exemption limits.

(3) The figures shown for the basic personal tax credits (married, single and widowed) are the costs of these tax credits as if all other tax credits and the exemption limits did not apply. They do not include individuals who are not on Revenue records because their incomes are below the income tax thresholds.

(4) Arising from the change over to Tax Relief at Source the figures relate to the number of policies issued. These include policies where subscriptions were paid by businesses on behalf of their employees.

(5) Part of the cost of contributions to Permanent Health Benefit Schemes is not identifiable as a result of the move to a “net pay” basis for contributions by PAYE taxpayers from 6 April 2001.

(6) See the following note on “Green Paper on Pensions” for background commentary on the basis of the cost figures.

(7) “Other” relates to borrowings for purposes such as acquiring an interest in a company or partnership.

(8) The income on which the cost of exemption for charities, colleges, hospitals, schools, friendly societies, etc. from income tax is based includes repaid income tax that has been deducted at source on dividends, other investment income and payments received under

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covenant, donations and associated tax relief by the PAYE sector to approved bodies and donations by the self-employed and corporate sectors to approved bodies and approved sports bodies. Information is not available about other income received gross.

(9) The cost figures for relief for donations to Approved Sports Bodies and for certain Sports Persons are based on self assessment returns.

(10) In the absence of other information, tax has been assumed at the standard rate of income tax even though a different rate might be appropriate in many cases.

(11) The costs included for corporation tax are by reference to accounting periods which ended in the years 2007 and 2008.

(12) The cost shown for capital allowances does not include any cost associated with “unused capital allowances”, that is, capital allowances which are not absorbed by a company in the accounting period in which they arise because they exceed the amount of the company’s profits of that accounting period which are available for offset. Unused capital allowances can be offset as losses against taxable profits arising in the previous accounting period and against certain profits arising in future accounting periods and can be offset against the profits of another company in the same group of companies. It is estimated that €2820 million and €3587 million of unused capital allowances were claimed in respect of 2007 and 2008 accounting periods respectively but as the proportion of this item which is included in previous years losses and in group relief is not separately identifiable a reliable estimate of the cost of the capital allowance element cannot be provided.

(13) The tax cost shown for section 23 type relief is the estimated ultimate tax cost relating to the total allowable expenditure in respect of claims made in 2007 and 2008 tax returns for the first time. The cost shown is for income tax cases only.

(14) The cost shown for manufacturing relief for 2008 is compiled using the basic data available but for technical reasons associated with a system redesign it is understood to be understated by at least €100m.

(15) The costs shown for R&D is for claims for R&D on corporation tax returns for accounting periods ending in 2007 and 2008. However, the cost includes the cost associated with claims where the company was entitled to the credit but was unable to absorb it in that accounting year.

Green Paper on Pensions –Review of Estimates of Cost

As part of the work on the Green Paper on Pensions, a review was carried out of the current regime of incentives for supplementary pension provision with a view to developing more comprehensive and reliable estimates of the cost of reliefs in this area. The review examined, among other things, the current reliefs and incentives for investment in supplementary pensions and the data available on which to base reliable estimates of the costs in revenue foregone to the Exchequer.

The review drew on newly available 2006 aggregate data on contributions to pension schemes by employers and employees arising from a P35 initiative introduced on foot of provisions that were included in Finance Act 2004 with a view to improving data quality. Estimates of the cost of tax for private pension provision updated for 2007 and 2008 are included in table IT6. The breakdown and make-up of these estimated costs of reliefs differ from presentations of costs in this area for years PRIOR TO 2005 in a number of respects and are not directly comparable further details on the cost of tax and other reliefs and the

changes in the methodology are contained in pages 106 and 107 of the Green Paper on Pensions which is available at www.pensionsgreenpaper.ie.

Certain property-based tax incentives and incomes exempt from tax — uptake and estimated potential cost to the Exchequer in terms of income tax and corporation tax forgone based on 2007 and 2008 tax returns

Provisions were included in the Finance Acts of 2003 and 2004 to enable new statistical data on the uptake of tax relief for certain property-based tax incentives and incomes exempt from tax to be obtained from tax returns. This information, derived from changes introduced by the Revenue Commissioners to income tax returns and corporation tax returns for 2007 and 2008, is set out in the following tables.

The figures shown include the amounts claimed in the year but exclude amounts carried forward into the year either as losses or capital allowances, and include any amounts of unused losses and/or capital allowances which will be carried forward to subsequent years.

2007 Tax Incentive/Income Exemption	Amount Claimed	Assumed maximum tax cost	Number of claimants
	€m	€m	
Urban renewal	280.0	109.3	3,501
Town Renewal	86.1	34.6	1,128
Seaside Resorts	20.3	8.0	1,231
Rural Renewal	121.9	48.6	2,807
Multi-storey car parks	24.0	9.6	147
Living Over the shop	8.0	3.0	93
Enterprise Areas	7.0	2.8	137
Park and Ride	3.3	1.4	33
Holiday Cottages	30.7	12.4	832
Hotels	307.1	118.0	1,893
Nursing Homes	45.3	18.3	687
Housing for the Elderly/infirm	6.3	2.6	166
Hostels	1.8	0.72	24
Guest Houses	0.1	0.02	8
Convalescent Homes	1.2	0.5	27
Qualifying Private Hospitals	29.6	12.1	330
Qualifying sports injury clinics	4.3	1.8	59
Buildings Used for certain childcare purposes	24.2	9.8	420
Qualifying Mental Health Centres	0.0	0.0	1
Student Accommodation	108.7	42.0	941
Exemption of profits or gains from Greyhounds	0.4	0.1	13
Exemption of profits or gains from Stallions	59.6	11.2	226
Exemption of profits or gains from Woodlands	21.8	8.5	1,886
Exempt Patents (Section 234, TCA 1997)	528.2	90.9	1,251
Totals	1,719.8	546.5	17,841

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2008 Tax Incentive/Income Exemption	Amount Claimed	Assumed maximum tax cost	Number of claimants
	€m	€m	
Urban renewal	224.6	84.5	3,271
Town Renewal	60.5	23.7	965
Seaside Resorts	14.5	5.7	1,051
Rural Renewal	84.6	34.2	2,634
Multi-storey car parks	16.8	6.6	136
Living Over the shop	6.1	2.5	81
Enterprise Areas	6.2	2.5	138
Park and Ride	1.7	0.7	19
Holiday Cottages	26.8	10.8	833
Hotels	300.6	114.7	1,966
Nursing Homes	47.6	19.4	725
Housing for the Elderly/Infirm	7.4	3.0	179
Hostels	1.62	0.66	21
Guest Houses	0.3	0.11	10
Convalescent Homes	1.3	0.5	33
Qualifying Private Hospitals	30.2	12.3	340
Qualifying sports injury clinics	3.7	1.5	58
Buildings used for certain childcare purposes	29.9	12.0	511
Qualifying Mental Health Centres	0.1	0.0	3
Student Accommodation	58.0	22.7	790
Caravan Camps	1.5	0.6	10
Mid Shannon Corridor Tourism Infrastructure	1.8	0.7	12
Exemption of profits or gains from Greyhounds	0.0	0.0	9
Exemption of profits or gains from Stallions	91.4	14.8	183
Exemption of profits or gains from Woodlands	49.4	13.0	2,357
Exempt Patents (section 234, TCA 1997)	187.2	50.2	1,184
Totals	1,302.4	455.0	18,089

These figures do not take account of the application of the restriction of reliefs originally provided for in section 17 of Finance Act 2006 and which took effect from 1 January 2007. The restriction was extended by Section 23 Finance Act 2010. Notes:

- The figures shown relate to the various reliefs/incentives and exemptions as specified in the 2007 and 2008 form 11 and CT1.
- There were concerns that in some instances the new, separately categorised data on property incentives may not have been correctly entered on the Tax returns. Revenue drew the attention of the relevant tax practitioner bodies to these deficiencies to rectify them in future returns and also increased awareness among its own staff involved in processing tax returns of the need to ensure, through closer examination of the returns, that they are correctly completed.
- The estimated costs have assumed tax foregone at the 41% rate in the case of income tax and 12.5% in the case of corporation tax. This means the figures shown correspond

to the maximum Exchequer cost in terms of income tax and corporation tax. However, the actual Exchequer cost could be lower, particularly in relation to the exempt income items, as the income could be subject to deductions for allowable expenses and other costs thereby reducing the level of income that would be actually subject to tax.

- Some of the costs shown above are included in the costs shown for capital allowances and section 23 relief in Table IT6. For example, exempt income included above is not part of capital allowances.

RELIEFS IN RESPECT OF WHICH COSTS ARE NOT CURRENTLY QUANTIFIABLE OR ARE NEGLIGIBLE OR ARE NOT IDENTIFIABLE WITHIN TOTAL AGGREGATES.

Relief from averaging of farm profits;

Exemption for income arising from payments in respect of personal injuries;

Exemption of certain payments made by Hemophilia HIV Trust;

Exemption of lump sum retirement payments;

Relief for allowable motor expenses;

Tapering relief allowable for taxation of car benefits in kind;

Reduced tax rate for authorised unit trust schemes;

Reduced tax rate for special investment schemes;

Exemption of certain grants made by Údarás na Gaeltachta;

Relief for investment income reserved for policy holders in life assurance companies;

Relief for various business related expenses such as staff recruitment, rent, legal fees, and other general expenses;

Exemption in certain circumstances on the interest on quoted bearer Eurobonds;

Exemption of payments made as compensation for loss of office;

Exemption of scholarship income;

Exemption for income received under Sceim na bhFoghlaimoiri Gaeilge.

Schools Building Projects

106. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills the reason an application by a school (details supplied) in County Galway is not a category 1 application in view of the fact that the school is in such poor condition; his views that it should be in category 1; and if he will make a statement on the matter. [12288/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The school referred to by the Deputy submitted a major capital application in November 2010. The application was given a preliminary assessment and was assigned a band 2 rating in accordance with the published prioritisation criteria.

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Schools are rated band I when they serve a rapidly developing area where either there is no existing school or where existing provision is unable to meet the demand for places.

A rapidly developing area is defined as:

- Located in a large urban centre or within commuting distance of a large urban centre.
- An area that has experienced major and significant demographic change in the past ten years. Also
- All available information indicates that the process of sustained development is set to continue with a corresponding major and significant impact on the demographics of the area.
- There is clear evidence of substantial pressure for pupil places in all schools serving the area.
- No school in the area is operating below capacity.
- No school is accommodating a sizeable or significant number of pupils from outside of its catchment area.

The school referred to by the Deputy does not meet the criteria of a Band 1 project with an enrolment in 2010 of 33 pupils. However, I am pleased to advise the Deputy that my Department recently approved a devolved grant for the school to build a permanent extension comprising 1 mainstream classroom and 1 learning support/resource room. This will greatly address the deficits of accommodation at the school.

The school's major capital application will be reviewed on foot of the approval of the new permanent extension and will be banded accordingly.

The progression of all large-scale building projects, including this project, from initial design stage through to construction phase will be considered in the context of my Department's multi-annual School Building and Modernisation Programme. However, in light of current competing demands on the capital budget of the Department, it is not possible to give an indicative timeframe for the progression of the major capital project at this time.

107. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the appointment of a design team for a planned new school building (details supplied) in County Cork. [12297/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As the Deputy is aware, the school's project was included on the list of projects announced on 24 January 2011 where briefs will be formulated in 2011 and the process of appointing a Design Team will commence.

The next steps will be to finalise the Schedules of Accommodation to meet the current and future needs of the school. In this regard, my Department will be in contact with the School Authorities in due course.

Special Educational Needs

108. **Deputy Dominic Hannigan** asked the Minister for Education and Skills the provisions for the July provision for students at a school (details supplied) in County Meath. [12328/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to clarify for the Deputy that participation in my Department's July Provision Scheme is an option for all special schools and mainstream primary schools with special classes catering for children with autism or severe to profound general learning disability that choose to extend their education services through the month July. Home based tuition of 10 hours per week for the four weeks in question is provided to children who attend schools which choose not to participate in the scheme.

School Management

109. **Deputy Dominic Hannigan** asked the Minister for Education and Skills his official policy regarding the administration of medicines to children at ABA schools; the procedures that exist to allow parents to provide permission to staff to administer drugs; and if he will make a statement on the matter. [12329/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under the provisions of the Education Act 1998 the Board of Management is the body charged with the direct governance of a school.

It is important that the school management authority requests parents to ensure that the school is made aware of any medical condition suffered by any pupil attending. Where the school is aware of potential difficulties that may arise as a consequence of a medical condition suffered by one or more pupils, it may be possible for the management authorities, working in conjunction with the parents, teachers and children to put preventative measures in place to lessen the possibility of any difficulties arising or to ensure that, if a pupil suffers from an illness requiring medication, that appropriate treatment is available.

As the Deputy may be aware, the administration of medicines in primary schools is the subject of an agreement between the Irish National Teachers Organisation and the organisations representing school management at primary level. While this agreement specifies that no teacher can be required to administer medicine or drugs to pupils, it also sets out procedures that must be followed where a teacher or teachers agree to do so. The position is that either the parents of the child should make themselves available to administer medication as required or where they wish the staff in the school to administer it they should indemnify the school.

It is my Department's experience that once the matter has been discussed in detail with the Board of Management and teachers of a school, and once all parties are clear as to the procedures to be followed, arrangements can normally be made to administer the type of medicine which may be required.

Schools Building Projects

110. **Deputy Michael McCarthy** asked the Minister for Education and Skills if he will issue a progress report on a new school (details supplied) planned for County Cork; when work on the project will commence; and if he will explain his position on the issue in view of the fact that the matter is now in its 14th year. [12348/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The school to which the Deputy refers has applied to my Department for capital funding for the provision of a new school. The application has been assessed in accordance with published prioritisation criteria for large scale projects and assigned a band 2 rating.

Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at www.education.ie.

My Department is working with Cork County Council to identify a suitable site. Given the commercially sensitive nature of this matter, it would not be appropriate to provide any further

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information at this time. Once a suitable site has been acquired, the proposed building project will be considered in the context of the capital budget available to my Department for school buildings generally.

Schools Refurbishment

111. **Deputy Niall Collins** asked the Minister for Education and Skills the number of schools from Limerick city and county that have applied for funding under the summer works scheme for 2011; the number that have not been approved funding; if he will provide a list of those schools not being provided with funding; and if he will make a statement on the matter.

[12364/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that 96 Primary and Post-Primary schools from Limerick City and County applied for funding under the Summer Works Scheme for 2011.

I am pleased to inform the Deputy that 40 schools were successful under this year's Summer Works Scheme. Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications and, accordingly, I can confirm that the remaining 56 schools were unsuccessful on this occasion.

Details of the successful applicants under the 2011 Summer Works Scheme were announced on 30th March 2011 and are published on the Department's website, www.education.ie. €41.2m will be made available under the Summer Works Scheme and will see major improvements in primary and post primary schools around the country including Limerick City and County. 453 primary and post-primary schools across the country have been successful in their applications for funding under the Summer Works Scheme this year.

€40 million will be made available through the Jobs Initiative to fund 374 primary and post-primary school building projects. These funds will allow schools to carry out small and medium scale building works such as special needs access, toilet facilities, roof works and window replacements. It is envisaged that the investment will also create 2,400 direct and 480 indirect much needed jobs in the construction sector.

I set out below a list of the schools in Limerick City and County who applied for and were granted funding under both schemes, as requested by the Deputy.

Summer Works Scheme/Jobs Initiative 2011 — Limerick City and County

County	Sector	School	Approval
LIMERICK COUNTY	Primary School	20233L SCOIL CHAISTRÍONA CAPPAMORE (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	19966B ST JOSEPHS DRUMCOLLOGHER (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	19800N MILFORD GRANGE N SCHOOL MILFORD (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	19200M ST VINCENTS SP SCHOOL LISNAGRY (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	18717V S N CIARAIN CILLFIOBHNAI (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	18653V SCOIL NAOMH IOSEF RATHKEALE (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	18612H SCOIL MHUIRE ACHADH LIN (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	18236F SCOIL NAOMH MUIRE BEAL ATHA DA THUILLÉ (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	18177P SCOIL AINE NAOFA RATH CAOLA (LIMERICK COUNTY)	Approved

County	Sector	School	Approval
LIMERICK COUNTY	Primary School	17814O GEAROID UI GHRIOBHTHA LOUGHILL (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	17364J SCOIL BAILE AN AIRD BAILE AN AIRD (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	17299B SCOIL MHUIRE EFFIN (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	17155A ATHLACCA N S ATHLACCA (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	13790G BULGADEN N S BULGADEN (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	12975N ST JOSEPHS CONVENT NEWCASTLE WEST (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	12613C GLENBROHANE N S GARRYSPELLANE (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	09915B MARTINSTOWN N S KILLMALLOCK (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	04469C S N FIODHNACH KILLMALLOCK (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Primary School	02813E S N SHEANAIN FOYNES (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Post Primary School	91502N JOHN THE BAPTIST COMMUNITY SCHOOL HOSPITAL (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Post Primary School	76061W COLAUSTE NA TROCIARE (MERCY COMMUNITY COLLEGE) RATHKEALE (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Post Primary School	71700F COLAISTE MHUIRE ASKEATON (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Post Primary School	64180O SALESIAN SECONDARY COLLEGE PALLASKENNY (LIMERICK COUNTY)	Approved
LIMERICK COUNTY	Post Primary School	64050B ST JOSEPH'S SECONDARY SCHOOL DOON (LIMERICK COUNTY)	Approved
LIMERICK CITY	Primary School	20018H MARIA KING PRESENTATION PRIMARY SEXTON STREET (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	19830W CORPUS CHRISTI N S MOYROSS (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	19667O OUR LADY OF LOURDES N S ROSBRIEN (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	17671S MARIA AUXILIATRIX N S FERNBANK (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	16444C SCOIL PADRAIG NAOFA C DUBLIN ROAD (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	15320C ST MICHAELS NS CBS GROUNDS (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	81014R CRESCENT COLLEGE COMPREHENSIVE DOORADOYLE RD (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	71930W LIMERICK COLLEGE OF FURTHER EDUCATION, LIMERICK SENIOR COLLEGE MULGRAVE STREET (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	64300V SCOIL CARMEL O'CONNELL AVENUE (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	64280S SALESIAN SECONDARY SCHOOL FERNBANK (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	64270P LAUREL HILL COLÁISTE FCJ CNOC NA LABHRAS (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	64240G ST MUNCHIN'S COLLEGE CORBALLY (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	64201T ARDSKOIL RIS NORTH CIRCULAR RD (LIMERICK CITY)	Approved

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County	Sector	School	Approval
LIMERICK CITY	Post Primary School	64200R COLÁISTE MHICHIL SEXTON STREET (LIMERICK CITY)	Approved
LIMERICK CITY	Post Primary School	64260M LAUREL HILL SECONDARY SCHOOL FCJ LAUREL HILL (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	18692I CATHERINE MC AULEY SP S ASHBOURNE AVE (LIMERICK CITY)	Approved
LIMERICK CITY	Primary School	20184B GALVONE NS KENNEDY PARK (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	19894C AN MHODH SCOIL ASCAIL UI CHONAILL (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	19475F ST BRIGIDS NS SINGLAND (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	19331E SCOIL CHRIOST RI B CAHERDAVIN (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	18872K SCOIL IDE CORBALLY (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	18677M SCOIL MATHAIR DE CUAR BOTHAR THEAS (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	17941V ST MUNCHINS G N S BALLYNANTY (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	17737W OUR LADY QUEEN OF PEACE SCHOOL JANESBORO (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	17445J SCOIL LILE NAOFA KILEELY (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	16910F SCOIL IOSAGAIN SRAID SEASNAIN (LIMERICK CITY)	Not Approved
LIMERICK CITY	Primary School	06936R ST JOHNS CONVENT CATHEDRAL PLACE (LIMERICK CITY)	Not Approved
LIMERICK CITY	Post Primary School	91446G ST ENDAS COMMUNITY SCHOOL KILMALLOCK RD (LIMERICK CITY)	Not Approved
LIMERICK CITY	Post Primary School	64290V ARDSOIL MHUIRE CORBALLY (LIMERICK CITY)	Not Approved
LIMERICK COUNTY	Primary School	20193C SCOIL MOCHEALLÓG KILMALLOCK (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	20133H SCOIL DEAN CUSSEN BRU NA NDEISE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	20102T ST FERGUS PRIMARY SCHOOL GLIN (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	20094A SCOIL CHRIOST AN SLANAITHEOIR BAILE AN GHARRAI (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18600A S N MA RUA MA RUA (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18516L S N LIOS NA GROI LISNAGRY (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18426K SCOIL IDE NAOFA RAITHINEACH (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18367U S N TOINN AN TAIRBH CAPPAMORE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18260C SCOIL MHUIRE BEAL AN ATHA (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18161A CASTLECONNELL N S CASTLECONNEL (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	18142T SCOIL CNOC LOINGE B KNOCKLONG (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17951B SCOIL O CURAIN B NEWCASTLEWEST (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17937H SCOIL MOIN A LIN CASTLEROY (LIMERICK COUNTY)	Not Approved

County	Sector	School	Approval
LIMERICK COUNTY	Primary School	17871D SCOIL CILL CHURNAIN KILCORNAN (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17738B SCOIL TOBAR PADRAIG TOBAR PHADRAIG (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17593B SCOIL NAOMH MHUIRE CNOC UI COILEAIN (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17487C SCOIL NAIS CATHAIR CHINN LIS CATHAIRCINNLI (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17438M SHANAGOLDEN N S SHANAGOLDEN (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	17212J SCOIL NAIS CNOC AINE CNOC AINE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	16713D SCOIL NA MBRAITHRE DOON (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	16508C SCOIL ATHAIN LISNAGRY (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	16439J SCOIL NA MBEARNAN PALLASAGREEN (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	16264A ABBEYFEALE B N S 1 ABBEYFEALE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	15700M CLOVERFIELD N S CLOVERFIELD (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	15680J SCOIL AN SPIORAID NAOMH ROXBOROUGH (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	15226K CAHERLINE N S CAHERLINE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	14231V NICKER N S NICKER (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	14067L FEDAMORE N S FEDAMORE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	12631E PALLASKENRY N S PALLASKENRY N S (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	11955C COOLCAPPA N S ARDAGH (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	11280T CARRICKERRY N S ATHEA (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	10991B GARRYDOOLIS N S PALLASAGREEN (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	09401Q MONOGAY NATIONAL SCHOOL NEWCASTLEWEST (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	09306W CROOM NATIONAL SCHOOL CROOM (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	09296W OUR LADYS ABBEY SCOIL NA GCAILINI (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	09132P CARNANE MXD N S FEDAMORE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	07900B BALLYSTEEN N S ASKEATON (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	07117J S N LOCH GUIR HOLY CROSS (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Primary School	02358G TEMPLEGLANTINE N S TEMPLEGLANTINE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Post Primary School	71810M COLÁISTE POLAIL MHICHÍL CAPPAMORE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Post Primary School	71790J DESMOND COLLEGE STATION ROAD (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Post Primary School	64150F GLENSTAL ABBEY SCHOIL MURROE (LIMERICK COUNTY)	Not Approved
LIMERICK COUNTY	Post Primary School	64130W SCOIL PÓL KILFINANE (LIMERICK COUNTY)	Not Approved

Schools Building Projects

112. **Deputy Niall Collins** asked the Minister for Education and Skills if his attention has been drawn to problems with a school building project (details supplied); the reason building work has ceased; when it is likely to resume; the contingency plan that exists; and if he will make a statement on the matter. [12365/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is aware of the problems with the school building project to which he refers. My Department is liaising with the Board of Management and their Design Team in relation to next steps.

Higher Education Grants

113. **Deputy John O'Mahony** asked the Minister for Education and Skills the support available to a person who is working full time and has been offered a full-time third level education course; and if he will make a statement on the matter. [12404/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Under my Department's student grant schemes, students who are entering approved courses for the first time are eligible for grants where they satisfy the prescribed conditions of funding, including those relating to age, residence, means, nationality and previous academic attainment.

Details of the 2011/12 student grant scheme are due to become available following publication, which is currently planned for end-May 2011. Information and application forms will then be made available on the website, *www.studentfinance.ie* which also provides comprehensive information on the full range of supports available in further and higher education, including the student grant, the Student Assistance Fund and other relevant supports.

New applicants may apply for grant assistance to their local authority or Vocational Education Committee, depending on their choice of course. Online application will be possible for a number of grant awarding authority areas. Eligible students with particularly low reckonable incomes may also qualify for the special rate or "top-up" grant.

Post-Leaving Certificate Education

114. **Deputy Simon Harris** asked the Minister for Education and Skills if he has considered a representation made by a third level institution (details supplied) in connection with additional post-leaving certificate places; and if he will make a statement on the matter. [12414/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): On 11 May, my Department wrote to providers inviting applications for the allocation of the additional 1,000 Post Leaving Certificate (PLC) places announced as part of the Government's Jobs Initiative. As the institution referred to by the Deputy is under the management of County Wicklow Vocational Education Committee (VEC), it is for that VEC to submit the application, rather than the institution itself.

To date, no application has been received from County Wicklow VEC. The closing date for receipt of applications is 24 May and the allocations will be notified to providers shortly thereafter.

115. **Deputy Simon Harris** asked the Minister for Education and Skills if he will provide details on the roll out of the 1,000 additional post-leaving certificate places announced in the jobs initiative; the way he will distribute these geographically; and if he will make a statement on the matter. [12415/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): On 11 May, my Department wrote to providers inviting applications for the allocation of the additional 1,000 Post Leaving Certificate (PLC) places announced as part of the Government's Jobs Initiative.

In allocating places, my Department will have regard to current and previous demand from individual providers, current and previous uptake (enrolment trends), current allocations to individual providers and the overall number of places available. All applications will be dealt with equitably and on their own merits.

The closing date for receipt of applications is 24 May and the allocations will be notified to providers shortly thereafter.

School Accommodation

116. **Deputy Dan Neville** asked the Minister for Education and Skills when a decision will issue on an application for funding under the devolved school grant in respect of a school (details supplied) in County Limerick. [12446/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers has recently applied to my Department seeking funding to provide additional accommodation.

This application is currently being assessed. Officials in my Department will convey a decision on the application to the school authority when the assessment process has been completed.

Special Educational Needs

117. **Deputy Peter Mathews** asked the Minister for Education and Skills if he will increase funding for an academy (details supplied) in Dublin 13; and if he will make a statement on the matter. [12470/11]

Minister for Education and Skills (Deputy Ruairí Quinn): It is understood that the Deputy's question refers to a proposal for an academy for children with autism which was submitted to my Department for consideration by an organisation in Dublin 13. My Department will respond to the submitted proposal in the near future. The Deputy will be aware that my Department has no direct funding arrangements with the group in question.

Consideration of this proposal will take account of my Department's policy in this regard, which 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

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with special educational needs have access to a range of support services including additional teaching and/or care supports. In special schools and special classes, students are supported through lower pupil teacher ratios. Special needs assistants may also be recruited specifically where pupils with disabilities and significant care needs are enrolled.

Reflective of the important role of continuing professional development my Department has put in place a training programme for teachers in autism-specific interventions including Treatment and Education of Autistic Communication Handicapped Children (TEACCH), Picture Exchange Communications System (PECS) and Applied Behaviour Analysis (ABA) through the Special Education Support Service.

The 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. Twelve schools have opened and the remaining school is 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.

Higher Education Grants

118. **Deputy Timmy Dooley** asked the Minister for Education and Skills if a person (details supplied) seeking a grant can change their status from a mature student dependent on their parents to an independent mature student as this is the correct classification in view of the fact that the original application was completed incorrectly. [12477/11]

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. The student in question should, therefore, contact his grant awarding authority and make arrangements to amend his original application form and to provide the proofs required to support the revised information.

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 whether or not the student in question can or should be assessed as a mature student.

However, in relation to the specific clauses in the 2010 student grant schemes governing this issue, 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.

Schools Refurbishment

119. **Deputy Patrick O'Donovan** asked the Minister for Education and Skills if he will review

a decision regarding a school (details supplied) in view of the conditions highlighted in an appeal. [12487/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy applied for funding under the 2011 Summer Works Scheme.

A list of 453 successful schools was announced on 30 March 2011. Applications from schools for gas, mechanical and electrical works were prioritised under the Summer Works Scheme funding this year and I regret that the application made by the school in question was not selected. A letter to this effect has issued to the school.

The school has recently written to my Department relating to the matter and a response will issue to the school in due course.

Expenditure Reviews

120. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will address a matter regarding a school (details supplied); and if he will make a statement on the matter. [12492/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I take it that the Deputy's question relates to this school in the context of the value for money review on small schools which is under way at present. The value for money review on small schools is part of the normal review processes undertaken by all Departments on an annual basis on selected areas of expenditure and is being conducted in line with the standard procedure for value for money reviews. These procedures require that the views of stakeholders be obtained and the public consultations were designed to achieve this aim. This was done by issuing a direct invitation to relevant interest groups to provide a submission. The interest groups included the school patron bodies, management bodies, teacher unions, national parents' council, Irish language groups and other groups who operate in the area of social inclusion.

A letter, inviting submissions, issued on 8 February 2011 to these interest groups and a deadline for reply was given for 18 March 2011. As these groups represent a wide spectrum of membership it could be reasonably expected they would communicate with their membership in regard to the review. In addition to the direct letter of invitation issued to these groups, a general invitation for submissions was posted on the Department's website also at the same time. Indeed the large response of in excess of 1,000 submissions seems to support the view that there is high general awareness of the review and a lot of interest in it.

The review will attempt to explore the general policy options for re-organisation of small schools including the sharing of resources and clustering arrangements towards small schools. I think it is important to clarify that this study is part of an overall requirement across all Government Departments to have a rolling programme of such studies.

This review was initiated last October by the previous Fianna Fail — Green Party Government and is not driven by any ideology. The study is simply about ascertaining the facts to inform future policy. It does not mean that any policy decision has been taken at this point or that any particular outcome is sought. Given that the Government has recently announced a Comprehensive Review of Expenditure, all Government expenditure and programmes will come under similar scrutiny.

The terms of reference acknowledge the important role primary schools play in their local communities. In considering any policy change in relation to small schools, the Department of Education and Skills is conscious that there is a wider dimension to be considered in addition to the cost of maintaining small schools.

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Among the issues that will need to be taken into account are questions such as availability of diversity of provision, ethos of schools, parental choice, language of instruction, travel distances, transport costs and the impact of schools on dispersed rural communities. The review will examine the locations of small schools relative to each other and to other schools of a similar type. It will also examine the costs of running small schools and the educational outcomes associated with small schools.

Educational quality for the students must be one of the main criteria in any consideration of primary school size. We must also consider the needs of local communities and wider social and cultural factors. Decisions on school provision and reorganisation must be widely perceived to be cost-effective, equitable and reasonable. These decisions need to be based on a rigorous evaluation of requirements and needs, not just at a local level but also at both regional and national levels. With regard to the specific school referred to by the Deputy the existing rules and current sustainability limits will continue to apply and there are no plans at this time to close this school.

School Text Books

121. **Deputy Brendan Smith** asked the Minister for Education and Skills if, in view of the widespread concerns of the costs of school text books, he has met with school book publishers; and if he will make a statement on the matter. [12494/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department has no role in the production or publication of school text books. However, my Department does issue guidance to school principals to ensure that the changes to school book lists are kept to a minimum. I do not have any current plans to meet school book publishers in this regard at present, but it is an issue which will be kept under review. My Department issued funding to primary schools in April and will issue funding 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 is 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.

Schools Refurbishment

122. **Deputy Eric Byrne** asked the Minister for Education and Skills if a school (details

supplied) in Dublin 6w will be granted funding to carry out important works under a works grant. [12512/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy applied for funding under the 2011 Summer Works Scheme.

A list of 453 successful schools was announced on 30 March 2011. Unfortunately, due to the scale of demand for funding under the scheme, it was not possible to grant aid all applications and accordingly it has been necessary to prioritise some categories of works over others. Applications from schools for gas, mechanical and electrical works were prioritised for Summer Works funding this year and I regret that the application made by the school in question was not selected. A letter to this effect has issued to the school.

In addition to the 2011 Summer Works Scheme, a further €30 million has been made available this year under the Jobs Initiative to fund school building works in 374 primary and post-primary schools. These funds will allow schools to carry out small and medium scale building works such as special needs access, toilet facilities, roof works and window replacements. The Deputy may be aware that a new two storey extension was completed at the school in January 2008 comprising of four classrooms, two resource rooms, staff facilities, toilet and kitchen facilities, lift and circulation areas. Other works included the demolition of an existing single storey classroom extension to the rear of school, fire-proofing and upgrade of existing internal doors and glazed screens in the existing double-storey school building and refurbishment of the existing ground level toilet block and reception area, landscaping and all associated site works. The building project cost in the region of €3m.

School Staffing

123. **Deputy Robert Troy** asked the Minister for Education and Skills the number of teachers currently employed on temporary contracts in both primary and secondary schools in the country; the number of these contracts that will be renewed or converted to permanent contracts for the next academic year; when employees on temporary contracts and the schools concerned will be advised as to his plans for these contracts and the support, to find new employment; and if he will provide for teachers who are made unemployed if their temporary contract is not renewed or made permanent. [12535/11]

Minister for Education and Skills (Deputy Ruairí Quinn): 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.

The purpose of these changes is to ensure all surplus teachers are absorbed into vacancies that exist in other schools. Flexible redeployment arrangements are required in order to ensure all surplus permanent teachers are redeployed into vacancies. The country simply cannot afford to have surplus teachers in a school while permitting recruitment to take place in another school. The Government is committed to ensuring the delivery of frontline services is protected as much as possible in our education system.

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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. When this process is completed there will be greater clarity in relation to the overall position of teachers on fixed-term contracts. It is too early at this stage to speculate what this impact will be.

Employment Support Services

124. **Deputy Clare Daly** asked the Minister for Education and Skills if, in view of his acknowledgement that the former workers (details supplied) in receipt of the European globalisation funds will not be guaranteed the funding to finish the educational programmes which they began under this scheme, he will agree to meet with these workers to discuss their situation and options for future education and re-training. [12539/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The co-funding of relevant education and training measures through the European Globalisation Adjustment Fund (EGF) in support of redundant S R Technics workers is strictly time limited to finish on 9 October 2011. This end date is determined at two years from the date of application in accordance with the regulations governing the operation of the fund, and cannot be extended. This position has always been made clear to both service providers and to beneficiaries of EGF support, including the former S R Technics staff in question.

Officials from my Department met a delegation of the former workers last month and discussed in detail both the position in relation to EGF funding and the full range of options and supports that are available to students generally, including former S R Technics staff, who wish to pursue education programmes in the publicly funded higher education system.

I have also written to a member of the delegation re-emphasising the position as outlined. The Department of Social Protection has already confirmed that if the students remain on the programme on a full-time basis beyond the EGF cut-off date that they will be entitled to retain their Back to Education Allowance. This would be a considerable advantage to the students in terms of providing income support while progressing in education.

It should also be noted that All Hallows College has been extremely helpful in running what was originally a part-time course on a fulltime basis under the EGF programme in order to accelerate students' progress on a modular basis and maximise the scope for them to benefit from the EU funding available.

It is open to the students to engage with All Hallows College to seek a reduced course fee for continuance of the course fulltime but at their own expense. Alternatively, the relevant students could potentially transfer to other fulltime courses in the public system which are part of the Free Fees Scheme without losing their Back to Education Allowance.

As the full facts of the situation have already been fully conveyed to the delegation by my officials, I do not propose to meet with these workers at this time.

Departmental Programmes

125. **Deputy Kevin Humphreys** asked the Minister for Education and Skills if an organisation (details supplied) has completed repayments for outstanding sums owed in relation to two programmes; the amounts, if any, of sums that have been written off; if the organisation has received any funding since September 2010; and if he will make a statement on the matter. [12544/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In relation to the first-named programme, all instalments due to date under the relevant settlement agreement have been paid. The payments are scheduled for completion in 2014. In relation to the second-named programme, a settlement of this dispute has been agreed, the terms of which are confidential under the settlement agreement reached. No other funding has been provided by my Department to this organisation since September 2010.

Special Educational Needs

126. **Deputy Brendan Griffin** asked the Minister for Education and Skills if he will facilitate the transfer of children with special needs into primary, secondary school or different settings by easing the cap on the allocation of special needs assistants and resource teachers; and if he will make a statement on the matter. [12558/11]

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 Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts as well as a temporary suspension of the allocation of additional resource teaching support hours.

In respect of SNA support, the NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of SNA support to eligible schools. The NCSE has asked schools to submit all applications for SNA support to them by 18th March, 2011 and intends to inform schools of their annual SNA allocation as soon as possible, in advance of the coming school year.

In respect of resource teaching support, 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 was 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 Departments 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.

Schools Building Projects

127. **Deputy Willie O'Dea** asked the Minister for Education and Skills if his attention has been drawn to the situation at a school (details supplied) in County Limerick in which a company has closed its site and has left a subcontractor without payment for works already completed and certified by the quantity surveyors; when the subcontractor is likely to be paid; and if he will make a statement on the matter. [12559/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The contract for the project to which the Deputy refers is between the Board of Management and the main contractor. There is no contractual relationship between any of the sub-contractors engaged on this project and either my Department or the Board of Management.

In general all sub-contractors employed on school building projects are employed directly by the Main Contractor or indirectly by the Main Contractor through other sub-contractors. It

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is a matter for all sub-contractors to agree terms and conditions and a schedule of payments with the Main Contractor as their direct employer.

I can confirm that all moneys due to be paid under the terms of the main contract have been paid to the main contractor. My Department is liaising with the Board of Management and their Design Team in relation to next steps.

Schools Refurbishment

128. **Deputy Michelle Mulherin** asked the Minister for Education and Skills the criteria used in awarding the second allocation of grants under the summer works scheme 2011; the priority given to the application of a school (details supplied) in County Mayo for new external windows in circumstances when a school extension is under construction and the existing windows are more than 30 years old and not fit for purpose; and if this school will be prioritised for future funding. [12561/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy applied for funding under the 2011 Summer Works Scheme. A list of 453 successful schools was announced on 30 March 2011. Applications from schools for gas, mechanical and electrical works were prioritised under the Summer Works Scheme funding this year and I regret that the application made by the school in question was not selected. A letter to this effect has issued to the school. In light of further funding being made available under the Government's Jobs Initiative, projects submitted under the 2011 Summer Works Scheme were considered further. Unfortunately, due to the scale of demand for funding it was necessary to further prioritise categories of works in respect of access for all, toilets, roofs and post primary school windows projects, I regret that the application referred to above was also unsuccessful under the Initiative.

Third Level Fees

129. **Deputy Seán Kenny** asked the Minister for Education and Skills the reason diplomas in a college (details supplied) are not included on the list for approved colleges for tax relief for fees; the criteria for inclusion; and if it is possible to change the current status. [12563/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Section 473A, Taxes Consolidation Act, 1997, as amended by Section 11 of the Finance Act 2011, provides for tax relief, at the standard rate of tax, for tuition fees paid in respect of approved courses at approved colleges of higher education including certain approved undergraduate and postgraduate courses in E.U. Member States and in non EU countries.

Under the legislation, the definition of an “approved college” extends to any university or similar institution of higher education in a Member State of the European Union (other than the State) which is maintained or assisted by recurrent grants from public funds of that or any other Member State of the European Union (including the State), or is a duly accredited university or institution of higher education in the Member State in which it is situated.

An approved undergraduate course is defined in the legislation as a full-time or part-time undergraduate course of study of at least two years duration in an approved college. An approved postgraduate course is defined as a postgraduate course of study leading to a post-graduate award in an approved college.

Tax relief is not available for tuition fees unless these criteria are met and I have no plans in the current economic climate to extend the scope of this arrangement. I understand that the college in question is a private college located in the UK. I also understand that the college

is working towards full accreditation of its courses with the relevant regulating bodies. This development would allow for tax relief to be claimed on tuition fees charged by the college provided the course criteria that I have outlined are also met. Further details in relation to tax relief on tuition fees are available from the Revenue Commissioners on www.revenue.ie

Schools Building Projects

130. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding a planned extension to a primary school (details supplied) in County Cork; and a time line for the completion the project. [12564/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The project to which the Deputy refers is at an advanced stage of the tender process. Subject to no issues arising, it is envisaged that once construction commences the project will take approximately eighteen months to complete.

131. **Deputy Jerry Buttimer** asked the Minister for Education and Skills the position regarding the school building programme in respect of a school (details supplied) in County Cork; and if he will make a statement on the matter. [12623/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that my Department has reached agreement, in principle, subject to contract with Cork County Council, in relation to the proposed acquisition of a site for the school to which he refers. Liaison with the Local Authority on the matter is ongoing. Due to the commercial sensitivities relating to site acquisitions, I am not in a position to comment further at this time.

Once this acquisition is concluded, the proposed building project will be considered in the context of the capital budget available to my Department for school buildings generally.

Special Educational Needs

132. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which stands to lose a full-time special needs assistant from September 2011; and if he will make a statement on the matter. [12628/11]

136. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which is awaiting clarification as to its allocation of special needs assistants for September 2011; and if he will make a statement on the matter. [12632/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 132 and 136 together.

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 Special Needs Assistants 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.

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

[Deputy Ruairí Quinn.]

schools of their annual SNA allocation as soon as possible, in advance of the coming school year.

Disadvantaged Status

133. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford in which the loss of a rural co-ordinator will have a very serious impact on the most disadvantaged pupils; and if he will make a statement on the matter. [12629/11]

139. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford in which the loss of a rural co-ordinator will have a serious impact on the most disadvantaged pupils; and if he will make a statement on the matter. [12635/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I propose to take Questions Nos. 133 and 139 together.

The decision to remove the Rural Coordinator Service from 331 rural DEIS schools was a measure taken by the last Fianna Fail — Green Party Government to secure some €24 million in savings in the 2011/2012 school year. The service will therefore be discontinued with effect from 31 August 2011.

I do not intend to revisit the decision of the previous Government to withdraw rural coordinator posts. The Deputy will understand that Ireland is effectively now in economic receivership because of the disastrous legacy of the last Government. The requirements to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

This measure will not affect the provision of HSCL services which remain in 200 post primary and 345 urban primary participating in DEIS. DEIS rural primary schools will continue to receive the following supports:

- additional capitation funding based on level of disadvantage ;
- additional funding for schools books;
- access to the School Meals Programme.;
- access to numeracy/literacy supports and measures;
- access to planning supports;
- access to a range of professional development supports.

The set of measures included in the National Recovery Plan 2011 to 2014 impacts on every sector of the public service and will unquestionably lead to significant challenges for schools as well as my Department in the coming years. The major challenge will undoubtedly be to seek improved outcomes for children with fewer resources.

Traveller Education

134. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which will face serious difficulties as regards learning support provision from September 2011 due to the loss of its resource teachers for

Travellers and one language support teacher; and if he will make a statement on the matter. [12630/11]

137. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which stands to lose four of its learning support staff from September 2011; and if he will make a statement on the matter. [12633/11]

138. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which stands to lose a resource teacher for Travellers from September 2011 despite the fact that the number of Traveller pupils attending the school will actually increase next year; and if he will make a statement on the matter. [12634/11]

144. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which will lose two resource teachers for Travellers from September 2011, placing enormous pressure on what is left of the special education needs team; and if he will make a statement on the matter. [12655/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 134, 137, 138 and 144 together.

I wish to advise the Deputy that the decision to withdraw Resource Teacher for Travellers was taken by the previous Government as part of the last Budget. The requirement to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

Resource Teacher for Traveller posts/Teaching Hours for Traveller pupils will be withdrawn, effective from 31st August 2011. Traveller pupils who are eligible for learning support teaching should receive this tuition through the existing learning support provision in schools. All schools should select students for learning support on the basis of priority of need.

Limited alleviation or adjustment measures are being provided to assist schools that have high concentrations of Traveller pupils who were previously supported by Resource Teachers for Travellers.

In respect of DEIS, (Developing Equality of Opportunity in Schools), Traveller enrolments have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011/12 school year. The schools involved have already received their staffing allocations for next year.

For schools other than DEIS schools in receipt of enhanced pupil teacher ratios, alleviation measures are being provided to assist schools with high concentrations of Traveller pupils who were previously supported by RTT posts. Any alleviation measures must be considered in the context of the very limited resources that are available to my Department. As such, alleviation measures are being concentrated on schools which had 33 or more pupils supported by RTT posts, based on 2009/10 school year enrolments.

In respect of language support provision, I wish to clarify for the Deputy that significant support is provided to schools in this regard. The level of extra teaching support provided in respect of language support to any school is determined by the numbers of eligible pupils enrolled and the associated assessed levels of those pupils' language proficiency. This is done through an annual application process in the Spring/Summer of each year. All such applications are currently being processed and schools will be notified of the outcome shortly.

135. **Deputy Mick Wallace** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Wexford which will lose 66% of its learning support from September 2011 due to the withdrawal of the resource teacher for Travellers posts; and if he will make a statement on the matter. [12631/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the decision to withdraw Resource Teacher for Travellers was taken by the previous Government as part of the last Budget. The requirement to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

Resource Teacher for Traveller posts/Teaching Hours for Traveller pupils will be withdrawn, effective from 31st August 2011. Traveller pupils who are eligible for learning support teaching should receive this tuition through the existing learning support provision in schools. All schools should select students for learning support on the basis of priority of need. Limited alleviation or adjustment measures are being provided to assist schools that have high concentrations of Traveller pupils who were previously supported by Resource Teachers for Travellers.

In respect of DEIS, (Developing Equality of Opportunity in Schools), Traveller enrolments have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011/12 school year. The schools involved have already received their staffing allocations for next year.

For schools other than DEIS schools in receipt of enhanced pupil teacher ratios, alleviation measures are being provided to assist schools with high concentrations of Traveller pupils who were previously supported by RTT posts. Any alleviation measures must be considered in the context of the limited resources that are available to my Department. As such, alleviation measures are being concentrated on schools which had 33 or more pupils supported by RTT posts, based on 2009/10 school year enrolments. With regard to schools which have less than 33 Traveller pupils previously supported by RTT posts, within the context of the limited resources which are available and taking into account Government policy and the Employment Control Framework, my Department will consider whether further limited alleviation measures can be provided for schools for whom it can be demonstrated that they have been disproportionately effected by the alleviation/adjustment measures outlined above, in comparison to schools of a similar size and circumstances.

Question No. 136 answered with Question No. 132.

Questions Nos. 137 and 138 answered with Question No. 134.

Question No. 139 answered with Question No. 133.

Physical Education Facilities

140. **Deputy Sean Fleming** asked the Minister for Education and Skills the amount of funding approved to a school (details supplied) in County Laois in respect of sports facilities in each of the past five years. [12641/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm to the Deputy that the following amounts have been provided to the school referred to by the Deputy in respect of sports facilities in each of the past five years.

Year	Amount
	€
2010	15,340
2009	Nil
2008	Nil
2007	4,000
2006	Nil

Both the above grants were general PE Equipment grants which were provided to all post-primary schools in these years.

Schools Building Projects

141. **Deputy Sean Fleming** asked the Minister for Education and Skills the position regarding permanent recognition for a school (details supplied) in County Carlow; and if he will make a statement on the matter. [12642/11]

142. **Deputy Sean Fleming** asked the Minister for Education and Skills the position regarding the building programme in respect of a school (details supplied) in County Laois; if a site has been acquired for the new school; the position regarding negotiations on this matter; and if he will make a statement on the matter. [12643/11]

147. **Deputy Sean Fleming** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Laois; the situation on the building programme; if a site has been identified for the new school; the position regarding negotiations on this matter; and if he will make a statement on the matter. [12671/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 141, 142 and 147 together.

I can confirm for the Deputy that my Department has agreed the acquisition of a suitable site zoned Community and Education for the school concerned, subject to contract. The site is in the Strawhill area of Carlow and as part of contract exchange it will be necessary for my Department to secure a planning consent on the site. A planning application in relation to this site has been prepared and will be lodged with the planning authority, Carlow County Council, this week.

I am pleased to advise the Deputy also that a project to provide a new school was included in the Ministerial announcement of the 24th January 2011, where accommodation briefs will be formulated in 2011 and the process of appointing a Design Team will commence, once the site is acquired.

I can also confirm that the matter of permanent recognition for the school will form part of this process.

School Transport

143. **Deputy Mattie McGrath** asked the Minister for Education and Skills the position regarding the value for money report undertaken by him and particularly inquiries relating to school transport provision. [12646/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The Value for Money Review of the School Transport Schemes was carried out as part of the 2009-

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2011 round of Value for Money Reviews approved by the previous Fianna Fáil-Green Party Government and was conducted in accordance with the criteria for such reviews set out in the Department of Finance Value for Money and Policy Review Initiative Guidance Manual. The emphasis in such reviews is on the efficiency and effectiveness of the programmes under examination to assess value for money in their delivery.

The Report on this review was published last March and is available on my Department's website.

Question No. 144 answered with Question No. 134.

Special Educational Needs

145. **Deputy Charles Flanagan** asked the Minister for Education and Skills his views on the issue of meeting the needs of children with Specific Speech and Language Disorder, SSLD; if he considers it desirable that additional capitation grants to schools should be ringfenced and used to meet the needs of those children on whose behalf it is given, particularly in the matter of enhanced rates of capitation funding paid in respect of children with special education needs, who attend special schools or special classes attached to mainstream schools; if he will consider reducing the flexibility and discretion to schools in respect of the targeting of this funding; and if he will make a statement on the matter. [12661/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that my Department provides an extensive range of supports for pupils with Specific Speech and Language Disorder (SSLD). My Department provides for the establishment of special classes for Specific Speech and Language Disorder in primary schools. Applications to establish such classes are considered by the school's assigned Special Educational Needs Organiser (SENO) and those meeting the criteria for establishment are approved by the National Council for Special Education (NCSE).

A full-time teacher is assigned to each class, and classes operate with a reduced pupil-teacher ratio of 7:1. Speech and language therapy services are provided to these classes by the Health Service Executive (HSE). An enhanced capitation grant is provided to schools operating special classes for pupils with Specific Speech and Language Disorder. The current rate is €912 per pupil. In circumstances where a child who meets the criteria for Specific Speech and Language Disorder as outlined in my Department's Circular 0038/2007 and who is not enrolled in a special class for SSLD may qualify for additional teaching support where he/she is enrolled in mainstream school. Applications for such support may be made to the NCSE through the local SENO. Pupils with mild speech and language difficulties may qualify for supplementary teaching support from within the school's general allocation of learning support/teaching support.

The Deputy is aware that enhanced rates of capitation funding are paid in respect of children with special educational needs who attend special schools or special classes attached to mainstream schools. Increases in recent years in these enhanced rates have brought the top rate up to over €900 per pupil in comparison with the standard capitation rate of €190 per pupil.

I wish to advise the Deputy that my Department's Circulars 40/2009 and 48/2009 clarify issues relating to the allocation of funding for schools. Schools have flexibility and discretion on how to target funding to the school's own priorities, based on its knowledge and understanding of the needs of the students it serves.

National Lottery Funding

146. **Deputy Dara Murphy** asked the Minister for Education and Skills if he will provide

details in relation to the amount of funding allocated from the National Lottery Beneficiary Fund since 1998 to projects in the Dáil Constituency of Cork North Central under schemes (details supplied). [12664/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): My Department provides grant-in-aid funding, part-funded by the National Lottery, to a number of organisations providing adult education, cultural and scientific activities. The funding is for their general running expenses.

The Department has not allocated funding from the National Lottery Beneficiary Fund to any projects in the Cork North Central constituency in the categories referred to by the Deputy. However, my Department does provide grant-in-aid to the Feis Maitiú based in the Father Mathew Hall in Cork City.

Details of funding provided by the Department to Feis Maitiú over the past five years are as follows:

Year	Amount
	€
2006	44,500
2007	45,000
2008	45,000
2009	41,000
2010	38,500.

In 2011, funding of €36,700 has been provided for Feis Maitiú.

Funding for youth grants is the responsibility of my colleague the Minister for Health and Children who will provide a reply on this aspect of your question.

Question No. 147 answered with Question No. 141.

Institutes of Technology

148. **Deputy Michael McCarthy** asked the Minister for Education and Skills if it is a ministerial function to appoint all members to the boards of institutes of technology; if he will furnish a breakdown of board membership in respect of Cork, Tralee and Waterford ITs; and if he will make a statement on the matter. [12673/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The ordinary members of the boards of the Institutes of Technology are appointed by the Minister on the recommendation of the relevant Vocational Education Committee in accordance with the provisions of the Institutes of Technology Acts 1992 to 2006. The chairman is nominated and appointed by the Minister. The board memberships in respect of Cork, Tralee and Waterford Institutes of Technology are as follows:

CORK INSTITUTE OF TECHNOLOGY GOVERNING BODY

Chairperson: Vacant

President: ex officio member

Six appointed under Section 4(1)(a) and (b) RTC (Amendment) Act, 1994

Cllr. J.A. Corr (City of Cork VEC)

[Deputy Ruairí Quinn.]

Cllr. Catherine Clancy (City of Cork VEC)

Mr. Ted Owens (City of Cork VEC)

Barra Ó Briain, (Co. Cork VEC)

Ms. Aileen Pyne, MCC (Co. Cork VEC)

Rt. Rev. Canon G.A. Salter (Co. Cork VEC)

Two appointed under Section 4(1)(c)

Dr. Áine Ní Shé (Academic staff representative)

Mr. John O'Sullivan (Academic staff representative)

One appointed under Section 4(1)(d)

Mr. Eoin Deane (Non-academic staff representative)

Two appointed under Section 4(1)(e)

Mr. John Lane (Student representative)

Ms. Vicky Fitzpatrick (Student representative)

One appointed under Section 4(1)(f)

Ms. Áine Piggott (ICTU)

Five appointed under Section 4(1)(g)

Ms. Valerie Gleeson (Arts Council)

Ms. Mary Keane (Assoc. of Principals and Vice Principals of Post Primary Schools)

Mr. Billy O'Neill (Institution of Engineers in Ireland)

Mr. Jim Woulfe (Irish Co-Operative Organisation Society Ltd.)

Mr. Mark Whitaker (Cork Chamber of Commerce)

INSTITUTE OF TECHNOLOGY, TRALEE GOVERNING BODY

Chairperson: Cllr. Flan Garvey

Acting President: ex officio member

Six appointed under Section 4(1)(a) and (b) RTC (Amendment) Act, 1994

Ms. Ann O'Dwyer (Kerry Education Service)

Cllr. Terry O'Brien (Kerry Education Service)

Vacancy (Kerry Education Service)

Cllr. Mairead Fernane (Kerry Education Service)

Mr. Peter Considine (Co. Clare VEC)

Cllr. Mary Jackman (Co. Limerick VEC)

Two appointed under Section 4(1)(c)

Vacancy (Academic staff representative)

Vacancy (Academic staff representative)

One appointed under Section 4(1)(d)

Mr. Tony Murphy (Non-academic staff representative)

Two appointed under Section 4(1)(e)

Vacancy (Student representative)

Vacancy (Student representative)

One appointed under Section 4(1)(f)

Mr. Andrew McCarthy (ICTU)

Five appointed under Section 4(1)(g)

Mr. Don Twomey (Engineers Ireland)

Ms. Monica Sheehan (Health Service Executive)

Mr. Tim O'Donoghue (Kerry Diocesan Youth Service)

Ms. Harriet Cotter (Enterprise Ireland)

Ms. Aoife O'Brien (IBEC)

WATERFORD INSTITUTE OF TECHNOLOGY GOVERNING BODY

Chairperson: Dr. Donie Ormonde

President: ex officio member

Six appointed under Section 4(1)(a) and (b) RTC (Amendment) Act, 1994

Cllr. Mary Roche (City of Waterford VEC)

Cllr. Pat Hayes (City of Waterford VEC)

Mr. Paddy Lavelle (County Waterford VEC)

Cllr. John Fahey (Tipperary S.R. VEC)

Cllr. Paddy Kavanagh (Co. Wexford VEC)

Cllr. Mary Hilda Cavanagh (Co. Kilkenny VEC)

Two appointed under Section 4(1)(c)

Dr. Joseph Power (Academic staff representative)

Ms. Mairead Meagher (Academic staff representative)

One appointed under Section 4(1)(d)

Mr. Tony Whelan (Non-academic staff representative)

Two appointed under Section 4(1)(e)

Mr. Conor Doyle (Student representative)

Ms. Denise McCarthy (Student representative)

One appointed under Section 4(1)(f)

Cllr. Jack Walsh (ICTU)

Five appointed under Section 4(1)(g)

Sr. June Fennelly (Church Bodies)

Ms. Helen Lambert (Construction Industry Federation)

Ms Anne Caulfield (Waterford Chamber of Commerce)

Mr. Frank Dolphin (IBEC)

Dr. Rob Landers (Health Service Executive)

Schools Amalgamation

149. **Deputy Ciarán Lynch** asked the Minister for Education and Skills when a decision will be made on the issuing of a new roll number to facilitate the amalgamation of two schools (details supplied); and if he will make a statement on the matter. [12675/11]

Minister for Education and Skills (Deputy Ruairí Quinn): My Department is in receipt of correspondence dated 17th May last regarding the proposed amalgamation to which the Deputy refers. The correspondence is currently under consideration and officials from my Department will be in contact with the Management Authority of the school in due course.

Departmental Funding

150. **Deputy Michael McGrath** asked the Minister for Education and Skills the supports made available by him to the National Parents' Council, Primary, on an annual basis; and if he will define the relationship between his Department and the National Parents' Council. [12682/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Education Act 1998 gives recognition to the important role which parents play in the education system through their involvement in parents' associations. The Act also recognises the role which national parents' associations may play in offering guidance to local associations. My Department recognises the National Parents' Council Primary (NPCp) as having an important role in giving a voice to parents at national level and liaises with it on educational issues in the primary sector.

The National Parents' Council Primary (NPCp) was set up in 1985 as the representative organisation for parents of children attending primary school. It is a company limited by guarantee. The Board of the NPCp is constituted in accordance with its Memorandum and Articles of Association. The NPCp is responsible for its own day to day operations. Individual parents' associations at school level may affiliate to the national council.

In recognition of the role which the NPCp fulfils my Department supports it by way of funding. In 2010 my Department provided the NPCp with €330,000 for core funding for the running of the council and €106,488 for support for parents representatives in their role on Boards of Management and reviewing ongoing Training and Quality Assurance. The indicative funding allocation for 2011 is €330,000 for core funding and €106,488 for training courses and information seminars.

Schools Building Projects

151. **Deputy Timmy Dooley** asked the Minister for Education and Skills the reason he has not been in contact with a national school (details supplied) in County Clare regarding the appointment of a design team. [12683/11]

Minister for Education and Skills (Deputy Ruairí Quinn): As you are aware, the school's project was included on the list of projects announced on the 24th January 2011 where briefs will be formulated in 2011 and the process of appointing a Design Team will commence.

The next step will be to finalise the Schedule of Accommodation to meet the current and future needs of the school. In this regard, my Department will be in contact with the School Authorities in due course.

International Students

152. **Deputy Seán Kenny** asked the Minister for Education and Skills the steps being taken in the USA to attract additional US students to study here. [12699/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Government is committed to strengthening education relations with the USA, including by attracting increased numbers of students.

We start from a strong position. According to figures last year from the Institute of International Education, Ireland is the ninth most popular destination for US Study Abroad students, and the fastest growing along with China.

I myself will be visiting Chicago in July, where, among other things, I will be addressing meetings at the National Association of Fellowship Advisors, an influential network who play a major role in assisting potential US postgraduate students with decisions about study and research location.

At present Enterprise Ireland's plans are giving priority to increasing the number of US undergraduate students in Ireland, and there are a range of initiatives underway including market research, development of new marketing collateral, targeted advertising (especially in the Irish-American media), developing networks in new markets in the US and strengthening links with alumni.

The George Mitchell Scholarship programme also plays a crucial role in attracting high-calibre US students to Ireland and in profiling Ireland in the US as a destination for high-quality overseas education.

Teacher Support Services

153. **Deputy Timmy Dooley** asked the Minister for Education and Skills if he will consider abolishing the professional development service for teachers support service considering that it is not meeting the continuous professional development needs of teachers; if he will revert back to establishing the two main support services that were in existence the primary professional development service and the second level support service or if he will consider basing the continuous professional development service on a regional structure and have a more equal distribution of primary and post primary secondees to deliver continuous professional development in education centres; and if he will make a statement on the matter. [12710/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I have no plans to abolish the Professional Development Service for Teachers (PDST).

The PDST is a team of seconded teachers, which offers professional development support to primary and post-primary teachers on a wide range of topics. The PDST was established in September 2010, following a reconfiguration of the support services in existence prior to that date. Given the budgetary and personnel restrictions now prevailing, my Department has a much reduced level of seconded teachers available to provide continuing professional development for teachers in comparison with previous years. For this reason, the number of personnel in the PDST is significantly reduced from the total numbers available to the Primary Professional Development Service and the Second Level Support Service, and the other support services which were involved in the reconfiguration. The PDST team was established on a regional basis following a competitive process where serving secondees in the 2009/2010 school year were invited to apply for a position in the new service. The successful candidates were chosen on merit, and would have displayed an ability to operate on a generic and cross-sectoral level.

2011 is the first full year of the operation of the PDST, and the service will be centrally involved in implementing measures to improve literacy and numeracy from the 2011/2012 school year.

Educational Projects

154. **Deputy Eric Byrne** asked the Minister for Education and Skills if his attention has been drawn to the work programme and application of a centre (details supplied) to an Irish situation; and if he will confirm if he will lend his support to this organisation and its programmes. [12717/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I have received information from the organisation referred to by the Deputy and I have outlined to it the work of the Department in areas of relevance, such as addiction, substance use, stress and behaviour. I have also given details of contact points for further information.

I understand that the organisation in question is delivering and developing courses to deal with the issues outlined above. It is open to the organisation to seek to have its programmes validated by the Higher Education and Training Awards Council (HETAC) or the Further Education and Training Awards Council (FETAC).

School Services Staff

155. **Deputy Arthur Spring** asked the Minister for Education and Skills if the decision to terminate the position of rural co-ordinator at a school (details supplied) in County Kerry will be reversed due to the vital role the position plays in the community. [12741/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The decision to remove the Rural Coordinator Service from 331 rural DEIS schools was a measure taken by the last Fianna Fail — Green Party Government to secure some €24m in savings in the 2011/2012 school year. The service will therefore be discontinued with effect from 31 August 2011. I do not intend to revisit the decision of the previous Government to withdraw rural coordinator posts. The Deputy will understand that Ireland is effectively now in economic receivership because of the disastrous legacy of the last Government. The requirements to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

This measure will not affect the provision of HSCL services which remain in 200 post primary and 345 urban primary participating in DEIS. DEIS rural primary schools will continue to receive the following supports:

- additional capitation funding based on level of disadvantage;
- additional funding for schools books;
- access to the School Meals Programme;
- access to numeracy/literacy supports and measures;
- access to planning supports;
- access to a range of professional development supports.

The set of measures included in the National Recovery Plan 2011 to 2014 impacts on every sector of the public service and will unquestionably lead to significant challenges for schools as well as my Department in the coming years. The major challenge will undoubtedly be to seek improved outcomes for children with fewer resources.

Schools Building Projects

156. **Deputy Dan Neville** asked the Minister for Education and Skills further to Parliamentary Question No 380 of 5 May 2010 if he will provide the necessary funding in 2011 to a school (details supplied) in County Kerry in view of the fact that they need to upgrade the physical environment of the school [12742/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I am pleased to advise the Deputy that in November 2010 my Department approved a devolved grant of €250,000, to the school to which the deputy refers. This funding was granted to build a permanent extension comprising 2 mainstream classrooms, 1 Art Room and a toilet block. The school have no applications for additional accommodation with my department at this time.

School Curriculum

157. **Deputy Regina Doherty** asked the Minister for Education and Skills the position regarding the success of the project maths programme post primary schools to date; the likelihood of a performance review on this programme; and if he will make a statement on the matter. [12743/11]

Minister for Education and Skills (Deputy Ruairí Quinn): A major programme of reform in Mathematics is under way in all second level schools since September last, building on the experience of 24 schools which began the programme in 2008. Project Maths is being implemented on a phased basis over a three period across 5 strands of mathematics as follows:—

- Phase 1: Strand 1 — Statistics and Probability + Strand 2 — Geometry and Trigonometry;
- Phase 2: Strand 1+2+ Strand 3 — Number + Strand 4 — Algebra;
- Phase 3: Strand 1+2+3+4+ Strand 5 — Functions.

Strands 1 and 2 began in all schools in September 2010 for first examination in 2012 at Leaving Certificate and 2013 at Junior Certificate. Strands 3 and 4 will begin in 2011, and strand 5 will start in 2012.

Project Maths has been widely welcomed by the partners in education and the Expert Group on Future Skills Needs. Implementation of the programme is monitored by a steering committee representing my Department, the National Council for Curriculum and Assessment and the State Examinations Commission. An external research and evaluation programme is also planned.

The initial results for Project Maths in the 24 schools where students sat the Leaving Certificate examination in Strands 1 and 2 in 2010 were published by the State Examinations Commission. These showed that results were broadly in line with the national trends in maths, but

- there was a lower A rate (11.2% Project Maths v 14.3% mainstream) but slightly higher ABC rate in the Project Maths schools at all levels;
- 18.7% took higher level in the Project Maths schools, compared with 16.0% in mainstream schools;
- there were significantly improved EFNG rates at Ordinary level in Project Maths schools (5.4% v 9.8% in mainstream schools).

Post-Leaving Certification Courses

158. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills if the certificate course in leadership and advocacy at Dundalk IT, which caters for students with an intellectual disability across the north-east region, will be maintained and the required grants for its continuation be provided into the future; and if he will make a statement on the matter. [12747/11]

162. **Deputy Regina Doherty** asked the Minister for Education and Skills the position regarding the continuation of the leadership and advocacy course in Dundalk IT and similar courses which awards a certificate to those students with intellectual disabilities; and the alternative plans that have been made for the students of this course in the eventuality that the course is cut due to lack of funding. [12801/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 158 and 162 together.

My Department has no role in the provision of funding for the Certificate Course in Leadership and Advocacy at Dundalk Institute of Technology. In addition, the Institute does not accredit the course but it does provide classroom facilities, assists with student selection at the beginning of each course and facilitates a graduation ceremony at the end of the programme.

I understand that the course was funded by the Department of Justice, Equality and Law Reform until 2008. Since that time the course was funded by Meath Intellectual Disability Work Advocacy and You Ltd (Midway Services) in the North East, which is a voluntary organisation part-funded by the HSE. I also understand that, as a result of reduced HSE funding, Midway Services is no longer in a position to continue to provide the course at this time. In the circumstances, the Deputies may wish to raise this matter with the HSE.

Schools Refurbishment

159. **Deputy Catherine Byrne** asked the Minister for Education and Skills if he will review an application for funding for a school (details supplied) in Dublin 10 under the schools summer works scheme 2011; and if he will make a statement on the matter. [12780/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school referred to by the Deputy applied for funding under the 2011 Summer Works Scheme.

A list of 453 successful schools was announced on 30 March 2011. Applications from schools for gas, mechanical and electrical works were prioritised under the Summer Works Scheme funding this year and I regret that the application made by the school in question was not selected. A letter to this effect has issued to the school.

In addition to the 2011 Summer Works Scheme, a further €30 Million has been made available this year under the Jobs Initiative to fund school building works in a further 374 primary and post-primary schools. These funds will allow schools to carry out small and medium scale building works such as special needs access, toilet facilities, roof works and window replacements. Unfortunately, due to the scale of demand for funding it was necessary to further prioritise categories of works in respect of access for all, toilets, roofs and post primary school windows projects, I regret that the application referred to by the Deputy was also unsuccessful under the initiative.

Departmental Payments

160. **Deputy James Bannon** asked the Minister for Education and Skills when payment will

issue to a company (details supplied) in County Longford for State works, as non-payment of same is threatening the viability of the company, subcontracted to carry out the works, but now facing the loss of at least 20 jobs due to delayed payment; and if he will make a statement on the matter. [12787/11]

Minister for Education and Skills (Deputy Ruairí Quinn): There is no contractual relationship between the sub-contractor to which the Deputy refers and my Department. In general all sub-contractors employed on school building projects are employed directly by the Main Contractor or indirectly by the Main Contractor through other sub-contractors. It is a matter for all sub-contractors to agree terms and conditions and a schedule of payments with the Main Contractor as their direct employer. I can confirm that all monies due to be paid under the terms of the main contract have been paid to the main contractor. My Department is liaising with the Board of Management and their Design Team in relation to next steps.

Teaching Qualifications

161. **Deputy James Bannon** asked the Minister for Education and Skills the reason a person (details supplied) in County Westmeath has now been prevented from taking up employment as a resource teacher due to not being a registered teacher, despite years of training and experience in psychology and teaching; and if he will make a statement on the matter. [12789/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Teaching Council aims to promote and maintain the highest standards of teaching, learning and professional conduct in our schools. It is the policy of my Department that only a teacher registered with the Teaching Council, and who has qualifications appropriate to the sector and suitable to the post for which he or she is proposed, should be employed by schools. Unregistered personnel should not be appointed except in exceptional circumstances and then only when all avenues for recruiting registered teachers have been exhausted and only for quite limited time periods.

Where an individual wishes to teach in a school funded by the Oireachtas then they should contact the Teaching Council to assess their eligibility for entry to the register of teachers. Registration under Regulation 2 (Primary) or 3 (Montessori and Other Categories) are currently recognised as appropriate registration in order to gain access to the qualified rate of pay as a resource teacher in a special school setting. Registration as a Post Primary teacher (Regulation 4) is also acceptable where a proportion of the pupils attending the special school are of post primary age (i.e. 12 years or older) and where second level programmes are provided by the school.

Question No. 162 answered with Question No. 158.

School Staffing

163. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the application of the public sector recruitment embargo to teaching posts; and if he will make a statement on the matter. [12802/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Unlike most other areas of the public service teaching vacancies are being filled in accordance with published Department criteria.

However, the process of allocating teaching resources to schools 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

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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. The purpose of these changes is to ensure all surplus teachers are absorbed into vacancies that exist in other schools. Flexible redeployment arrangements are required in order to ensure all surplus permanent teachers are redeployed into vacancies. The country simply cannot afford to have surplus teachers in a school while permitting recruitment to take place in another school. The Government is committed to ensuring the delivery of frontline services is protected as much as possible in our education system.

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. Through these redeployment measures, the Government is committed to ensuring the delivery of frontline services is protected in as much as possible in our education system.

164. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a person (details supplied) has been placed on the supplementary teaching panel for County Kerry; and if he will make a statement on the matter. [12805/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The main focus in the Teacher Allocation Section within my Department at present is the redeployment panels for permanent teachers. The Department will consider queries in relation to supplementary panel rights for fixed-term teachers, including the teacher referred to by the deputy, when the initial work on panels for redeployment of surplus permanent teachers is completed. Such teachers are advised to contact my Department at Primaryallocations@education.gov.ie.

165. **Deputy Paul J. Connaughton** asked the Minister for Education and Skills if a school (details supplied) in County Galway will receive a teacher under special alleviation measures following from the reduction of resource teachers for Travellers. [12812/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I wish to advise the Deputy that the decision to withdraw Resource Teacher for Travellers was taken by the previous Government as part of the last Budget. The requirement to make expenditure savings and to ensure that staffing numbers remain within the Public Service Employment Control Framework prevent me from re-visiting this decision.

Resource Teacher for Traveller posts/Teaching Hours for Traveller pupils will be withdrawn, effective from 31st August 2011. Traveller pupils who are eligible for learning support teaching should receive this tuition through the existing learning support provision in schools. All schools should select students for learning support on the basis of priority of need.

Limited alleviation or adjustment measures are being provided to assist schools that have high concentrations of Traveller pupils who were previously supported by Resource Teachers for Travellers.

In respect of DEIS, (Developing Equality of Opportunity in Schools), Traveller enrolments have been included in the valid enrolment for the purpose of allocating additional staffing under DEIS from the 2011/12 school year. The schools involved have already received their staffing allocations for next year.

For schools other than DEIS schools in receipt of enhanced pupil teacher ratios, alleviation measures are being provided to assist schools with high concentrations of Traveller pupils who were previously supported by RTT posts. Any alleviation measures must be considered in the context of the limited resources that are available to my Department. As such, alleviation measures are being concentrated on schools which had 33 or more pupils supported by RTT posts, based on 2009/10 school year enrolments.

With regard to schools which have less than 33 Traveller pupils previously supported by RTT posts, within the context of the limited resources which are available and taking into account Government policy and the Employment Control Framework, my Department will consider whether further limited alleviation measures can be provided for schools for whom it can be demonstrated that they have been disproportionately effected by the alleviation/adjustment measures outlined above, in comparison to schools of a similar size and circumstances.

I understand my Department will be finalising the limited alleviation measures for schools that are losing RTT posts. The position of the school referred to by the Deputy is being considered by my Department and the school will be notified as soon as is possible.

Library Projects

166. **Deputy John Lyons** asked the Minister for Education and Skills the annual cost of running the junior certificate school programme library programme; and if he will make a statement on the matter. [12819/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Junior Certificate Schools Programme (JCSP) includes a Demonstration Library Project. This project establishes high quality, fully stocked and equipped modern school libraries and provides each with a professional librarian. The funding currently available to support the running of the project in 2011 is approximately €2.3 million.

167. **Deputy John Lyons** asked the Minister for Education and Skills the number of librarians employed under the junior certificate school programme library programme whose contracts are up for renewal this year; his plans regarding renewal of these contracts; and if he will make a statement on the matter. [12820/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The Junior Certificate Schools Programme (JCSP) includes a Demonstration Library Project. This project establishes high quality, fully stocked and equipped modern school libraries and provides each with a professional librarian. There are 31 Librarians working with this project and I am pleased to say that all of these Librarians will be retained for a further year.

School Accommodation

168. **Deputy Jim Daly** asked the Minister for Education and Skills if he will fund the shortfall in funding required to construct the extension to a school (details supplied) in County Cork in view of the fact that the population of the school has increased by 50% in the past two years; and if he will make a statement on the matter. [12823/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I can confirm that the school to which the Deputy refers applied to my Department in November 2010 seeking funding to provide one mainstream classroom, and was approved this additional accommodation in

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January 2011. My Department are not currently in receipt of any correspondence for additional funding.

Home-School Liaison Scheme

169. **Deputy Andrew Doyle** asked the Minister for Education and Skills the number of home liaison officers in 2007, 2008, 2009 and 2010; the number of home liaison officers available by county for these years; and if he will make a statement on the matter. [12849/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): Home School Community Liaison (HSCL) is a mainstream preventative programme and a major component of DEIS (Delivering Equality of Opportunities in Schools), the action plan for educational inclusion, which targets pupils at risk of not reaching their potential in the educational system because of background characteristics which tend to adversely affect pupil attainment and school retention. It focuses directly on the salient adults in children's educational lives while seeking direct benefits for the children themselves.

Whereas information requested by the Deputy on a county basis is not readily available, the overall position is as follows: 1,107 schools (876 DEIS & 231 Non DEIS) had the services of 544 HSCL/rural coordinators following the introduction of DEIS from 2006 to August 2009. A small number of these schools received a grant in lieu as they are geographically isolated and cannot be clustered with other schools. Under Budget 2009, in order to contain public sector spending, one of the decisions taken by the previous government was to advance the withdrawal of HSCL/rural services from schools that had HSCL prior to DEIS but were not selected to participate in DEIS. As a consequence, there remained 452 HSCL/rural coordinators providing a service to 876 DEIS schools (345 urban primary, 331 rural primary & 200 post primary) from the 2009/2010 school year.

Legislative Programme

170. **Deputy Thomas P. Broughan** asked the Minister for Enterprise, Trade and Innovation his plans for a new Fair Trade Bill for producers; the measures he is considering to end predatory practices in the retail sector and introduce transparency on margins and profitability for large retailers; and if he will make a statement on the matter. [12758/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): The Programme for Government contains a specific commitment to "*enact the Fair Trade Act, which will ban a number of unfair trading practices in the retail sector such as 'hello money' which suppliers have to pay to secure a place for their goods on supermarket shelves*". It is my intention to give effect to this commitment by including an enabling provision in the legislation currently being prepared by my Department to merge the National Consumer Agency and the Competition Authority, which will allow for the introduction of a statutory Code of Practice to regulate particular practices in the grocery goods sector.

I have recently received the report of the facilitator appointed by my predecessor to engage with the various stakeholders to explore the possibilities of agreeing a Voluntary Code of Practice to regulate relationships and practices in the Grocery Goods Sector. The report of the facilitator is currently being considered. The Government is strongly committed to ensuring that Ireland continues to have vibrant agri food and retail sectors, particularly given the importance of these sectors to the national economy. The Government considers it important, therefore, that there is balance in the relationship between the various players in the grocery goods sector. The introduction of a Code of Practice is intended to achieve such a balance taking into

account the interests of all stakeholders in the grocery goods sector including the interests of the consumer and the need to ensure that there is no impediment to the passing-on of lower prices to consumers.

In so far as the issue of predatory practices is concerned, competition law already prohibits undertakings who hold a dominant position in the marketplace from abusing that position. Predatory practices would include dominant undertakings engaging in predatory pricing whereby prices are set so low to the extent that the competitive process itself is damaged. Persons who have concerns that undertakings in the retail sector or elsewhere may be abusing their dominance in the marketplace by engaging in practices such as predatory pricing should bring their concerns to the attention of the Competition Authority so that they may be investigated.

Job Creation

171. **Deputy Finian McGrath** asked the Minister for Enterprise, Trade and Innovation the reason the Industrial Development Agency rejected a plan for jobs on the north side of Dublin (details supplied). [12300/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): I am informed that the site referred to by the Deputy is not in IDA ownership and that IDA had no involvement with any plans for jobs along the lines mentioned. IDA's role is to promote manufacturing and internationally traded services industry. Retailing operations such as those mentioned here are outside its remit.

Patent Applications

172. **Deputy Dominic Hannigan** asked the Minister for Enterprise, Trade and Innovation the supports available for persons when applying for patents in view of the fact that the cost of using an agency can be prohibitive; the support available for persons who have no previous experience in applying for patents; his plans to increase the number of patent applications; and if he will make a statement on the matter. [12326/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): My Department, through the work of the Patents Office, Enterprise Ireland and the County Enterprise Boards offer a range of supports to assist and enable entrepreneurs and enterprises to engage in the optimal exploitation of research and development, and specifically in applying for patents. The Patents Office is an independent statutory body whose functions are concerned with the granting of patents, registration of trademarks and designs and the administration and maintenance of these industrial property rights. The Office is charged with assessing and adjudicating on patent applications after they are submitted formally and the appropriate fees are paid.

The Office provides information supports to applicants through the Office's website *www.patentsoffice.ie*, including a detailed Patent Application Guide for applicants who wish to file a patent application without using the services of a patent agent. The Patents Office also provides an Intellectual Property (IP) clinic service providing members of the public, inventors, entrepreneurs and business people an opportunity to discuss with Patents Office staff their ideas and matters concerning IP (patent, trade mark or design) applications they intend to make or have already made to the Office. These one to one meetings are very supportive in providing basic guidance on procedures and forms required for the registration of IP rights, the process of obtaining IP protection in Ireland or abroad and the timeframes involved, assistance in constructing a do-it-yourself search strategy for patents, trade marks or registered designs and accessing and using online patent, trade mark and design databases. To avail of this service, an

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appointment should be made through The Patents Office Information Centre at (056) 7720126 or by email at patlib@patentsoffice.ie.

Enterprise Ireland also provide advice on intellectual property matters to companies in Ireland, supported by the Enterprise Europe Network. Companies are guided in the use of free resources such as the Patent Office databases and Espacenet, the European patent searching tool. It is intended to further enhance this support through the appointment of a dedicated person in Enterprise Ireland to assist entrepreneurs who wish to protect their technology. This new central contact will be responsible for all intellectual property related queries from companies and the higher education research system.

Since April 2010, the Patents Office, Enterprise Ireland, the Enterprise Europe Network and County Enterprise Boards have partnered to present seminars at a range of regional locations under the working title of “Building a Business on your Ideas”. Seminars have taken place in Kilkenny, Donegal, Thurles, Dublin, Cork and Galway, with further events planned for Dundalk and Dublin again. The events have been well attended and very strong interest has been shown in the various supports available.

In conclusion it should be borne in mind that, because patent law and practice, and the drafting of the specification describing an invention, are detailed and complex matters, unless the applicant has had specialised training in this field it is advisable that consideration be given to engaging the services of a patent agent. The number of patent applications from Ireland to the European Patents Office increased from 484 in 2008 to 490 in 2009, while 961 applications for patents were received by the Irish Patents Office. I am satisfied that national supports for research, development and innovation will continue to result in new inventions that are patented.

Legislative Programme

173. **Deputy Joe Costello** asked the Minister for Enterprise, Trade and Innovation if he will bring forward the legislation proposals to extinguish the market right at Smithfield horse market, Dublin 7. [12336/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): I recently received the advice of the Attorney General in relation to the Smithfield Market. Essentially the Attorney has advised that the owner of the market right in respect of the Smithfield Market is Dublin City Council and that the Council enjoys ample powers to regulate the market under the Casual Trading Act 1995. I have written to the Lord Mayor of the Council advising him of the Attorney’s advice.

Dairy Industry

174. **Deputy Dara Calleary** asked the Minister for Enterprise, Trade and Innovation the financial supports available within his Department for firms seeking to expand within the dairy ingredients sector. [12458/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): Enterprise Ireland works with companies, which fall into three main categories:

- Manufacturing and internationally traded services; companies employing ten or more people (and with a focus on exporting);

- Innovation led start-ups with the potential to grow on international markets (and entrepreneurs with the ability to initiate projects that can compete in international markets) and
- Irish food companies employing ten or more (with a focus on exporting), both those home-grown in Ireland, and those that are overseas owned or controlled (FDI).

Companies in these three main categories, including in the dairy ingredients sector, are eligible to apply for all of Enterprise Ireland's services and supports, within the frameworks of legislative and State Aid regulations (for example, conditions relating to the size of a company). Enterprise Ireland provides direct support to Companies to increase their capability to export, including in-company R&D, Innovation, Start-up Funding, Market Development, Competitiveness, and Management Development. The agency also provides supports to companies, institutions and researchers in the areas of Research Collaboration and Commercialisation — aimed at delivering maximum economic return for the State's expenditure on Science Technology and Innovation.

In addition, client companies of Enterprise Ireland in the dairy ingredient sector are eligible for support under all elements of the Food Competitiveness Fund, which is funded by the Department of Agriculture, Fisheries and Food and which supports business transformation through 'lean' business process initiatives, management development and leadership initiatives. Companies engaged in changing how they operate will expect to benefit from increased productivity and quality as well as reductions in manufacturing costs.

Investment continues under the €100 million Dairy Investment Fund, which has been allocated in full following a competitive selection process awarded and is managed by Enterprise Ireland on behalf of the Department of Agriculture, Fisheries and Food. The primary purpose of this Fund is to increase efficiency by supporting the upgrading of plant and buildings for competitiveness and development of value-added products. Many of the projects grant-aided under the Fund will lead to significant gains for the dairy industry through new product development, greater production efficiencies and increased export capability.

Insurance Industry

175. **Deputy Peter Mathews** asked the Minister for Enterprise, Trade and Innovation if competition law forbids insurance companies from forcing customers to use specific companies for motor repairs; and if he will make a statement on the matter. [12498/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): Determination of whether certain business practices breach competition law is ultimately a matter for the Courts to decide. I understand the arrangement referred to by the Deputy is one whereby insurance companies actively recommend certain approved repairers to their policyholders with the approved repairers selected on the basis that they meet various qualitative standards and, in return, are guaranteed a minimum flow of work. Service Level Agreements are generally entered into by the insurance company and the approved repairer. Nonetheless, policy-holders are free to select a repairer of their choice.

The Competition Authority, which is the independent statutory body responsible for enforcing competition law in the State, has previously advised my Department that such arrangements do not appear to breach competition law but, in fact, appear to result in a more cost effective service being provided to the general public. More recently, the Authority has conducted market enquiries with insurance companies on the matter and it appears to remain the policy of insurance companies to allow policy-holders to choose repairers.

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However, if the Deputy is aware of any alleged anti-competitive behaviour by an insurance company, he should address his complaint to the Competition Authority who will consider each case on its merits. It is, of course, open to any aggrieved party alleging anti-competitive practices, including abuse of a dominant position, to take a private action under Section 14 of the Competition Act 2002.

County Enterprise Boards

176. **Deputy Michael Healy-Rae** asked the Minister for Enterprise, Trade and Innovation if he will support a complex (details supplied) in County Kerry; and if he will make a statement on the matter. [12695/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): My Department does not provide direct funding or grants to businesses but provides funding to a number of State Agencies, including the County and City Enterprise Boards (CEBs), through whom assistance is delivered directly to businesses.

The role of Kerry County Enterprise Board as part of the CEB network, is to provide support for small businesses with 10 employees or fewer in the start-up and expansion phases, to promote and develop indigenous micro-enterprise potential and to stimulate economic activity and entrepreneurship at local level, with priority being given to manufacturing and internationally traded services. While their primary function is to promote enterprise, CEBs can support individuals, firms and community groups provided that they have the capacity to achieve commercial viability which is vital to job creation.

Each CEB delivers a series of Programmes to underpin this role and they can provide both financial and non-financial assistance to a project promoter. The forms of financial assistance which are available, subject to certain eligibility criteria, include Priming Grants, Expansion/Development Grants and Feasibility/Innovation Study Grants. The provision of non-financial assistance can take the form of a wide range of business advice such as Programmes covering Business Management, Mentoring, E-commerce, Enterprise Education, and Women in Business networks.

Kerry CEB has advised my Department that they are familiar with the promoters and their proposed venture. The CEB has confirmed that they have engaged with the promoters and following an application for CEB assistance, the Board has approved financial assistance in the form of a Feasibility Study Grant towards this venture. The CEBs maintain a unique relationship with both clients and local businesses throughout their communities and can specifically tailor their programmes to meet the evolving needs and requirements of these small enterprises. It is in this regard that I would advise the promoters to maintain contact with their local CEB as their venture continues to develop into the future.

EU Directives

177. **Deputy Catherine Byrne** asked the Minister for Enterprise, Trade and Innovation the position regarding the EU directive on Temporary Agency Workers 2008/104/EC which is due to be transposed into Irish law; and if he will make a statement on the matter. [12779/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): EU Member States are required to transpose the provisions of the EU Directive on Temporary Agency Work (2008/14/EC) into national law by 5 December 2011. A central objective of the Directive is that Member States afford protection to temporary agency workers by applying the principle of equal treatment in terms of the basic working and employment conditions e.g. pay, annual

holidays etc. to agency workers in the same way as applies to workers that are directly recruited by a hirer undertaking to do the same job.

My Department initiated a public consultation on the national transposition of the directive in October last. Observations were provided by a number of stakeholders and interested parties and this has resulted in follow-up bilateral meetings between my Department and a number of respondents to further elaborate on positions. This is now informing the preparation of draft legislation by my Department to be approved by the Government in advance of the publication of a Bill. The timeline for publication of the Bill will have regard to the tight legislative timeline in order to meet the transposition deadline.

An important feature of the Directive is the possibility for the conclusion of a Framework Agreement, by the social partners at the national level which would allow for a “waiting period” to apply before equal treatment applies. In the UK, the Confederation of British Industry and the Trades Union Congress concluded a Framework Agreement that allows for a waiting period of 12 weeks before equal treatment will apply. The Government attaches significant importance to the conclusion of a Framework Agreement in the context of Ireland’s national transposition in order to maintain our cost competitiveness vis-à-vis our main trading partners in Europe and we will be working with the Social Partners towards that end.

Departmental Agencies

178. **Deputy Dominic Hannigan** asked the Minister for Enterprise, Trade and Innovation further to Parliamentary Question No. 537 of 17 May 2011, the reason he is not in a position to issue similar instructions to the agencies under his aegis; and if he will make a statement on the matter. [12793/11]

Minister for Enterprise, Trade and Innovation (Deputy Richard Bruton): I have no direct function in relation to the exercise of the day-to-day administrative decisions of the Agencies under my remit. I am referring the specific question as to membership of IBEC to each of the Agencies under my remit with a request to respond to you directly in the next week.

Civil Registrations

179. **Deputy Maureen O’Sullivan** asked the Minister for Social Protection under which legislation could a birth certificate be amended in 1962 in respect of a person (details supplied) in Dublin 1. [12484/11]

Minister for Social Protection (Deputy Joan Burton): A birth certificate would have been amended in 1962 under the provisions of section 27 of the Births and Deaths Registration Act (Ireland), 1880 and under the Regulations for the Discharge of the Duties of Registrars of Births, Deaths and Marriages in Ireland (1880 — regulations 168-171)

Under these provisions and regulations birth entries were amended, on the authority of a Superintendent Registrar, in order to correct factual errors. Amendments were made following the production to a registrar of one or more statutory declarations from persons required to give information under the Act. This information would then have been entered in marginal notes, which were made in the original entries as part of the amendment process at the time.

Following the amendment of the original entries, the amended entries became the only valid entries in relation to the births, under the statutory provisions, and the original entries could not be issued as certified copies. In the case of the person (details supplied), documentation in relation to the amendment, such as the statutory declaration referred to above, cannot be located by the Registrar General. As such, it can only be presumed that amendment was carried

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out by the registrar in accordance with the statutory provisions in force at the time and subject to the production of satisfactory evidence in support of the statutory declaration that was the basis of the application for the amendment.

There is a legal principle which states that official acts enjoy the presumption of correctness, unless they can be shown to be incorrect. This is notwithstanding the fact that records or documents relating to the act cannot be located. In the case of the entry at issue here, the legal presumption of correctness stands, unless evidence can be produced that it is incorrect. The person (details supplied) has been in direct contact with the office of the Registrar General and has been informed of the position as outlined above.

Employment Support Services

180. **Deputy Brendan Griffin** asked the Minister for Social Protection if persons with a disability, including deaf persons, will be allowed participate on the Tús programme; and if she will make a statement on the matter. [12557/11]

Minister for Social Protection (Deputy Joan Burton): Tús is a community work placement initiative which will provide up to 5,000 short-term, quality work opportunities for those who are unemployed for more than a year. Some €30 million has been provided in the Department's Estimates in 2011 to fund the roll-out of the initiative. Participants will, in the first instance, be identified by the Department of Social Protection by applying the following conditions:

- A person must be unemployed and in receipt of a jobseeker's payment for at least 12 months, and
- Currently be in receipt of jobseekers allowance, and
- Be fully unemployed.

The purpose of Tús is to focus on those people who are long-term unemployed. For this reason, eligibility is at present confined to those on the Live Register for 12 months and in receipt of jobseeker's allowance. These provisions are to ensure a targeted approach to those currently affected by long-term unemployment. There is no exclusion for a person with a disability if they satisfy the above criteria. People in receipt of a disability allowance have access to a range of other supports such as family income supplement, back to work enterprise allowance, back to education allowance and earnings disregards. Additionally, people with disabilities wishing to access the labour market are provided with a range of supports by FÁS, including community employment.

181. **Deputy Ciarán Lynch** asked the Minister for Social Protection her plans to re-introduce a redundancy programme for persons employed under the FÁS jobs initiative programme; and if she will make a statement on the matter. [12733/11]

Minister for Social Protection (Deputy Joan Burton): There are no plans under consideration to introduce a redundancy programme for participants on the FÁS Job Initiative programme. However, from time to time, due to operational reasons, individuals and Job Initiative team leaders have been offered redundancy on a voluntary basis. This is only done on an exceptional basis and occurs when the number of participants or team leaders is reduced, leaving the particular scheme to be no longer viable, and where participants could not be facilitated on any other programmes in their area.

Departmental Funding

182. **Deputy Finian McGrath** asked the Minister for Social Protection if she will secure funding for a law centre (details supplied) in Dublin 17. [12914/11]

196. **Deputy Seán Kenny** asked the Minister for Social Protection if she will provide further funding in 2011 through the grants for the development and promotion of information and welfare right to a centre (details supplied) to enable them to provide the vital services to their local community. [12674/11]

198. **Deputy Terence Flanagan** asked the Minister for Social Protection the position regarding funding for a centre (details supplied); and if she will make a statement on the matter. [12724/11]

199. **Deputy Aodhán Ó Ríordáin** asked the Minister for Social Protection the reason funding has been withdrawn from an organisation (details supplied) which provides services to the local community; and if she will make a statement on the matter. [12739/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 182, 196, 198 and 199 together.

The Department has invested significant funding to the organisation concerned over the years in support of the services it provides within the Dublin North-Central and Dublin North-East areas.

The funding is provided under the scheme of grants for the development and promotion of information and welfare rights. Applications for grants are made by way of completing and submitting an application form annually which is then assessed in the context of the scheme and the financial resources available. In considering previous applications the Department has advised the organisation to secure funding from more appropriate revenue sources in the public and private sectors. While acknowledging that progress has been made by the organisation in developing additional revenue streams through its own activity, the Department remains the primary funder.

With regard to continued funding by the Department €175,000 has so far been provided in 2011 in order to ensure services are maintained. Officials met with the organisation concerned in April to discuss further funding. Following the meeting a letter issued to the chair of the board outlining the Department's position and that it was prepared to meet with representatives of the board to discuss the situation. Arrangements are currently being made with the organisation to secure a date for this meeting that is suitable for all parties.

Social Welfare Appeals

183. **Deputy Paul J. Connaughton** asked the Minister for Social Protection if an appeal on an application for carer's allowance will be expedited in respect of a person (details supplied) in County Galway. [12289/11]

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 15 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 05 April 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

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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.

Legislative Programme

184. **Deputy Jonathan O'Brien** asked the Minister for Social Protection the date on which she will introduce transgender recognition legislation; and if she will make a statement on the matter. [11864/11]

Minister for Social Protection (Deputy Joan Burton): The Gender Recognition Advisory Group was established in 2010 with the following terms of reference:—

“To advise the Minister for Social Protection on the legislation required to provide for legal recognition of the acquired gender of transsexuals. In particular, to propose heads of a bill to provide for:—

- The establishment of a process for legal recognition of the acquired gender of persons suffering from Gender Identity Disorder, who have made the transition from one gender to another;
- The establishment of a gender recognition register;
- The granting of entitlement to marry in the legally recognised reassigned gender; and
- Any other provisions as may be deemed necessary consequent to the main provisions of the Bill.

The Group is made up of representatives of various Departments and Offices of State. The group has met on a number of occasions and has engaged in extensive consultation with a range of representative organisations and individuals with knowledge and expertise in the area, both in Ireland and abroad. I understand that the draft report is at an advanced stage of preparation and I would expect that the report will be completed within a matter of weeks. As the Deputy will be aware, there are a number of detailed stages and procedures involved in drafting and enacting legislation, so it is not possible for me to set out a timetable for the introduction of legislation in this matter at the present time.

Social Welfare Appeals

185. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review an appeal for disability allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [12374/11]

Minister for Social Protection (Deputy Joan Burton): Having considered all the evidence and following a second medical examination, the appeals officer disallowed the appeal for the person concerned. Payment of invalidity pension was terminated with effect from 5th November 2009. The decision of an appeals officer is final and conclusive in the absence of fresh facts or evidence. With regard to the latest information received on 19 May 2011 in relation to the person concerned, it is considered that it contains no fresh facts or evidence and accordingly there is no ground to review the appeals officer's decision.

Social Welfare Benefits

186. **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. [12375/11]

Minister for Social Protection (Deputy Joan Burton): An application for domiciliary care allowance was received from the person concerned on the 24th March 2011. This application was referred to one of the Department's Medical Assessors, who found that the child was not medically eligible for the allowance. A letter issued on 19th May 2011 advising the person concerned of the decision. In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office within 21 days.

Social Insurance

187. **Deputy John O'Mahony** asked the Minister for Social Protection the dental treatments available to persons under the PRSI scheme; and if she will make a statement on the matter. [12385/11]

Minister for Social Protection (Deputy Joan Burton): The dental treatment benefit scheme is an employment-based scheme, available to customers (and their dependent partners) who have paid a certain number of PRSI contributions. For claims made in 2011, customers aged over 25 years need the following to qualify:

- (1) A total of 260 Class A, H, E, or P PRSI contributions paid since first starting work, and
- (2) 39 contributions either paid or credited in 2009, and
- (3) 13 contributions paid in any of the last three years.

The dental benefit scheme currently offers a free yearly oral examination for those customers who meet the PRSI-based qualification conditions.

Social Welfare Benefits

188. **Deputy Billy Kelleher** asked the Minister for Social Protection if she will introduce measures to allow qualified adults receive the living alone allowance in cases where the spouse or partner resides in a nursing home on a permanent basis; and if she will make a statement on the matter. [12395/11]

Minister for Social Protection (Deputy Joan Burton): The living alone increase is an additional payment of €7.70 per week made to people aged 66 years or over who are in receipt of certain social welfare payments and who are living alone. It is also available to people who are under 66 years of age who are living alone and receiving payments under one of a number of invalidity type schemes. It is not a benefit in its own right and cannot be paid unless there is an entitlement to one of the qualifying payments.

An increase for qualified adult is payable to a person whose spouse/partner is wholly or mainly maintained by him/her, and where the weekly means of the spouse/partner come within certain specified limits. Although this social welfare increase is awarded to, and remains the entitlement of the social welfare recipient, it is paid directly to the spouse/partner. The increase attaches to the principal payment and cannot be paid unless there is an entitlement to a social welfare payment.

In a case where the person in receipt of the principal payment resides in a nursing home an increase for a qualified adult may be paid provided the qualified adult continues to be wholly or mainly maintained by the person who lives in the nursing home. However, as the living

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alone increase attaches to the person in receipt of the principal payment, it cannot be paid to the qualified adult. There are no plans to review the position.

Electronic Payments System

189. **Deputy Paschal Donohoe** asked the Minister for Social Protection if the target, which came from a Government decision of 7 December 2004 on increasing the use of e-payments by Government Departments and in the public sector, of having 96% of cheque payments changed by the end of 2010 was met; and if she will make a statement on the matter. [12405/11]

190. **Deputy Paschal Donohoe** asked the Minister for Social Protection if he will provide a breakdown of the percentage of payments under each scheme carried out by electronic fund transfer to financial institutions, by electronic information transfer via An Post and by cheque in tabular form; and if she will make a statement on the matter. [12406/11]

191. **Deputy Paschal Donohoe** asked the Minister for Social Protection her e-payments strategy; and if she will make a statement on the matter. [12407/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 189 to 191, inclusive, together.

Government policy aims to facilitate and promote greater use of electronic payments in the economy in the interests of developing a modern payments environment in Ireland. My Department plays an important role in this regard.

The Department currently issues well over 80 million payments in respect of over 50 welfare schemes on a weekly, monthly and annual basis depending on the scheme type. These are delivered via electronic transfers to An Post and to banks, building society accounts and certain credit unions. There has been a significant increase in the use of e-payments in my Department since the Government decision in 2004 to which the Deputy refers. The initiatives taken by the Department to date have seen the percentage of customer using electronic payment transmission instruments rising from 38% in Jan 2004 to 91% in January 2011. Pension books containing personal payable orders were phased out in September 2009. Over this period arrangements have also been put in place to provide electronic payment transfers to those living in residential institutions. By the end of 2010, less than 9% of payments were issued by cheque. A detailed breakdown of payments for 2010 by scheme and method is set out in the following table.

The Department also made good progress in extending electronic payments to its own staff. By end 2010 approximately 96% of staff received their salary payments by electronic fund transfer (EFT) and it is intended that this figure will rise to 100% by end July. In addition 99% of staff who incurred travel and subsistence costs were reimbursed by electronic fund transfer (EFT). We will continue to apply strategies and solutions that harness suitable opportunities in the technology and financial services sectors to improve existing services, maximise efficiencies and support financial inclusion and customer service.

In this regard, my Department is currently finalising a new payment strategy through which the Department will continue to modernise the payment of welfare benefits. The emerging strategy is compatible with national Government policies and objectives such as better public services, more effective e-payments and the National Payments Implementation Programme. The strategy, which takes into account international developments in delivering welfare payments, the need for good and effective controls and the costs associated with making these payments, will be published later this year.

Percentages of payments by scheme and payment method from January to December 2010

	% Cheque	% Postal Voucher	% EIT*	% EFT	% Total
State Pension (Contributory)	0.3	0	44.3	55.4	100
State Pension (Transition)	0.04	0	30.14	69.82	100
State Pension (Non-Contributory)	0.2	0	76.52	23.28	100
Pre-Retirement Allowance	1.5	0.01	64.6	33.9	100
Illness Benefit	27.97	0	0.32	71.71	100
Invalidity Pension	0.31	0	52.04	47.65	100
Occupational Injury Benefit	1.37	0	72.94	25.69	100
Disablement	26.33	0	0	73.67	100
Disability Allowance	0.3	0	59.7	40	100
Child Benefit	0	0	37.81	62.19	100
Widow's/Widower's/Surviving Civil Partners/Guardians Con Pen	0.49	0	60.82	38.69	100
Widow's/Widower's/Surviving Civil Partners/Guardians Non Con Pen	0.25	0	68.27	31.47	100
Deserted Wives Benefit/Allowance	0.12	0	74.24	25.64	100
One Parent Family Payment	0.07	0.01	51.9	48.02	100
Maternity Benefit	6.19	0	0	93.81	100
Family Income Supplement	1.48	0	0.67	97.85	100
Carers Allowance	0.55	0	60.82	38.63	100
Carers benefit	0	0	11.55	88.45	100
Rent	100	0	0	0	100
Supplementary Welfare Allowance	31.99	0	51.96	16.05	100
Back to Work	0.21	0	2.88	96.91	100
Blind Person Pension	0.28	0	55.64	44.09	100
Jobseekers Benefit	36.63	0.04	59.82	3.51	100
Jobseekers Allowance	8.52	0.07	75.3	16.12	100
Smallholders	0	0	68.61	31.39	100
Farm Assist	1.04	0	35.34	63.63	100
Total	8.76	0.01	51.98	39.25	100

*EIT — Electronic Information Transfer

Departmental Staff

192. **Deputy Clare Daly** asked the Minister for Social Protection the relationship between her and the 26 community welfare officers employed in the rent supplement unit in Santry, Dublin 9. [12534/11]

Minister for Social Protection (Deputy Joan Burton): Late last year agreement was reached between the Health Service Executive (HSE) and unions representing the Community Welfare Officers that the staff of the Community Welfare Service (CWS) would transfer to the Department of Social Protection with effect from 1st January 2011 on a secondment basis initially. The period of secondment is to last for 9 months until the end of September 2011. During this period these staff will remain employees of the HSE but are subject to the general direction and control of the Minister for Social Protection.

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From 1 October 2011 it is intended that the staff of the CWS will be transferred fully to the Department as civil servants and will be accountable to the Minister in the same way as other civil servants. I have been advised that a number of staff in the CWS were employed in a temporary capacity by the HSE in 2010 for a period of six months, including some of the staff in the rents unit in question. These contracts were subsequently extended to June 2011 when they are to be gradually withdrawn.

Employment Support Services

193. **Deputy Clare Daly** asked the Minister for Social Protection if she will address the anomaly whereby persons are prevented from taking up employment in programmes such as the Tús Programme operated by Fingal County Council if they have engaged in short-term work administered by FÁS, but are still unemployed, especially in relation to one particular case (details supplied). [12540/11]

Minister for Social Protection (Deputy Joan Burton): Tús is a community work placement initiative which will provide up to 5,000 short-term, quality work opportunities for those who are unemployed for more than a year. Some €30 million has been provided in the Department's Estimates in 2011 to fund the roll-out of the initiative. This initiative is delivery via the network of local development companies and Údarás na Gaeltachta in Gaeltacht areas. Participants will, in the first instance, be identified by the Department of Social Protection by applying the following conditions: a person must be unemployed and in receipt of a jobseeker's payment for at least 12 months; currently be in receipt of jobseekers allowance; and be fully unemployed.

The purpose of Tús is to focus on those people who are long-term unemployed. For this reason, eligibility is at present confined to those on the Live Register for 12 months and in receipt of jobseeker's allowance. These provisions are to ensure a targeted approach to those currently affected by long-term unemployment. I have noted the circumstances identified by the Deputy in this instance. However, given the current recruitment process to supervisory/team leader positions advertised by the local development companies, it is not open to me to vary the eligibility criteria at this time.

Citizen Information Services

194. **Deputy Aengus Ó Snodaigh** asked the Minister for Social Protection if she will advise the Citizens Information Board that they should include a heading of disability on their homepage under which all potential entitlements for children and adults with disabilities could be grouped. [12562/11]

Minister for Social Protection (Deputy Joan Burton): The citizens information website is divided into fourteen categories, which are all accessible from the www.citizensinformation.ie homepage: Birth, Family and Relationships; Consumer Affairs; Death and Bereavement; Education and Training; Employment; Environment; Government in Ireland; Health; Housing; Justice; Money and Tax; Moving Country; Social Welfare; and Travel and Recreation.

Information for people with disabilities is integrated into the website's main categories. For example, information on disability allowance can be found in the "Disability and Illness" section in the Social Welfare category, and information on the motorised transport grant can be found in the "Transport and disability" section in the Travel and Recreation category.

There are also a number of documents that aim to cut across the website's categories and provide an overview of a particular area such as the "Caring for a child with a disability" and "Working with a disability" documents. A checklist is also included which references relevant

information in the areas of social welfare, transport and mobility, work, education and training, health services and taxation. The publication “Entitlements for People with Disabilities”, which was updated in 2010, and a new publication “Entitlements for children with disabilities” are also available on the Citizens Information Board website www.citizensinformationboard.ie. In addition, the www.assistireland.ie website is a comprehensive, online database of assistive technologies and suppliers.

However, in order to improve access and provide multiple paths to information on the website the Citizens Information Board is currently working on the development of checklists for various categories of people, including people with disabilities. The checklists will help people to navigate the site by having an overview of all potential entitlements relevant to their particular circumstances and a link to the relevant sections of the website.

Employment Support Services

195. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding the national internship scheme (details supplied); and if she will make a statement on the matter. [12566/11]

Minister for Social Protection (Deputy Joan Burton): Work is being finalised on the development of the National Internship Scheme so that it will be ready for launch by the beginning of July. The scheme will be operated on the basis that host organisations who meet the eligibility criteria will advertise internship positions. Individuals wishing to take up an internship will contact a host organisation directly and then partake in a selection process run by the organisation resulting in that host organisation selecting their preferred candidates, subject to those candidates being eligible.

An individual is not precluded from approaching an organisation directly with a view to that organisation offering them an internship opportunity under the scheme. However, all internship positions will be available for eligible persons to apply for and the decision as to who will receive the internship will be made by the host organisation. Further details relating to the criteria and how to apply for the scheme will be launched in the coming weeks.

Question No. 196 answered with Question No. 182.

Social Welfare Benefits

197. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the number of public and civil servants in receipt of family income supplement [12715/11]

Minister for Social Protection (Deputy Joan Burton): There are currently approximately 24,581 people in receipt of a weekly family income supplement (FIS) payment of which 2,566 (10%) are public servants. The number of civil servants who are receiving FIS is included in the figure for public servants. A separate breakdown for civil servants is not currently available.

Questions Nos. 198 and 199 answered with Question No. 182.

Social Welfare Appeals

200. **Deputy Ciarán Lynch** asked the Minister for Social Protection when a decision will issue on an appeal in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [12746/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an oral hearing of this case took place on 29 March 2011 and the Appeals

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Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the oral hearing. The person concerned will be notified of the Appeals Officer decision when the appeal has been determined.

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

201. **Deputy Marcella Corcoran Kennedy** asked the Minister for Social Protection when a disability allowance claim will be processed in respect of a person (details supplied) in County Offaly; and if she will make a statement on the matter. [12765/11]

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 29th March 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 9th May 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.

Social Welfare Appeals

202. **Deputy John McGuinness** asked the Minister for Social Protection further to Parliamentary Question No. 79 of 12 May 2011, if she will review the case in view of the fact that the person has already indicated to the supplementary welfare allowance section that they do not have the means to meet their bills, that they are in arrears with their mortgage, that they are too ill to cope and that they require immediate financial assistance; and if she will expedite the case. [12794/11]

Minister for Social Protection (Deputy Joan Burton): The position remains as advised in Question No. 79 which was answered for the Deputy on 12 May 2011. The Health Service Executive (HSE), who decide on all entitlements under the supplementary welfare allowance scheme, has advised that if the person concerned is experiencing exceptional financial difficulties then they should contact the community welfare officer at his local health centre.

Pension Provisions

203. **Deputy John McGuinness** asked the Minister for Social Protection the position regarding an application for a State pension in respect of a person (details supplied) in County Carlow; the timeframe for a decision in this case; and if she will expedite the matter. [12795/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case.

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. This has significantly impacted on the processing time for appeals which require oral

hearings and, in order to be fair to all appellants, they are dealt with in strict chronological order. 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.

While every effort is being made to deal with the large numbers awaiting oral hearing as quickly as possible, it is not possible to give a date when the person's oral hearing will be heard, but s/he will be informed when arrangements have been made. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Appeals

204. **Deputy Dominic Hannigan** asked the Minister for Social Protection her plans to deal with the delays in processing domiciliary allowance appeals; if she is in a position to transfer staff from other sections of the Department to deal with the backlog of appeals; and if she will make a statement on the matter. [12816/11]

Minister for Social Protection (Deputy Joan Burton): The average waiting time for a domiciliary care appeals 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

205. **Deputy Dominic Hannigan** asked the Minister for Social Protection when a domiciliary care appeal case will be heard in respect of a person(details supplied) in County Meath. [12817/11]

Minister for Social Protection (Deputy Joan Burton): The Social Welfare Appeals Office has advised me that the appeal from the person concerned was referred to an Appeals Officer who proposes to hold an oral hearing in this case. The person concerned will be informed when arrangements have been made. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

206. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Social Protection the position regarding a supplementary welfare allowance and mortgage interest allowance appeal in respect of a person (details supplied) and when a decision will issue. [12853/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that the person concerned was refused mortgage interest supplement as she has sufficient income to meet her mortgage interest costs and that this decision has not been appealed. The HSE further advised that there is no record of an application for a basic supplementary welfare allowance payment.

Architectural Heritage

207. **Deputy Sandra McLellan** asked the Minister for Tourism, Culture and Sport if he will provide an update on his discussions with the Bank of Ireland regarding the handover of their College Green Dublin branch for use as a literary centre. [12316/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): I have written to the Bank of Ireland seeking to engage with it in relation to the future of the historic College Green building. A follow-up meeting is arranged.

Voluntary Bog Purchase Scheme

208. **Deputy Frank Feighan** asked the Minister for Tourism, Culture and Sport the position regarding an application for sale of bogland in respect of a person (details supplied) in County Leitrim; and when payment will issue. [12468/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): My Department has no record of having received an application under the voluntary bog purchase scheme from the individual referred to in the Deputy's Question. Should the Deputy wish to supply additional details to me, however, I will have the matter examined further by my Department.

Departmental Funding

209. **Deputy Michael McCarthy** asked the Minister for Tourism, Culture and Sport his arts strategy for the next year; the timeline for its implementation; the steps he is taking to ensure that funding in his Department is being ring-fenced to support various art projects and groups of both a national and local nature; and if he will make a statement on the matter. [12306/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): Primary responsibility for the promotion of the arts at all levels throughout the country is devolved to the Arts Council. The Council is funded by my Department and is independent in its day to day operations, including funding decisions. The total allocation to the Arts Council for 2011 is €65.16m. In the context of the 2012 Estimates I will endeavour to maximise continuing Government support for the arts.

National Commemorative Events

210. **Deputy Robert Troy** asked the Minister for Tourism, Culture and Sport if a decision has been reached on the date, time and location in Ulster for this year's National Famine Memorial Day. [12854/11]

Minister for Tourism, Culture and Sport (Deputy Jimmy Deenihan): While the National Famine Commemoration is normally held in mid-May of each year, this year's will take place at a later date in 2011. The National Famine Commemoration Committee, which I chair, will meet very shortly with a view to finalising the date and venue for the 2011 event. I envisage that I will be in a position to announce details of the 2011 Commemoration subsequent to that meeting.

Departmental Bodies

211. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources if he will provide details of the membership of the Inland Fisheries Board, including the nomination procedure; and if he will make a statement on the matter. [12553/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Section 12 of the Inland Fisheries Act 2010 (No. 10 of 2010) provides that the Board of Inland Fisheries Ireland (IFI) shall consist of nine members including the Chairperson. The Minister for Communications, Energy and Natural Resources is empowered to appoint three members including the Chairperson on his own nomination and two members on the nomination of the Minister for Environment, Heritage and Local Government and the Minister for Community, Rural and Gaeltacht Affairs.

Section 12(3) of the Act provides that three members of the Board shall be appointed by the Minister on the nomination of the Joint Oireachtas Committee for Communications, Energy and Natural Resources. In accordance with Section 13 of the Act the Minister appointed one Board member who was elected by the staff of IFI. The term of office of members of IFI is provided for under section 14 of the Inland Fisheries Act 2010. Details of the membership of IFI is as follows:

Member	Nominated By	Date Appointed	Term of Office
Brendan O'Mahony (Chairperson)	Minister for Communications, Energy and Natural Resources	1 July 2010	5 Years
Lal Faherty	Minister for Community, Equality and Gaeltacht Affairs	1 July 2010	5 Years
Frances Lucey	Minister for Environment, Heritage and Local Government	1 July 2010	3 Years
Andrew Duncan	Minister for Communications, Energy and Natural Resources	1 July 2010	3 Years
John Carroll	Joint Oireachtas Committee for Communications, Energy and Natural Resources	3 November 2010	3 Years
Michael McGreal	Joint Oireachtas Committee for Communications, Energy and Natural Resources	3 November 2010	4 Years
John Geary	Joint Oireachtas Committee for Communications, Energy and Natural Resources	3 November 2010	5 Years
Marcus McMahon	Elected Staff Representative of Inland Fisheries Ireland	17 November 2010	5 Years
Muireann O'Neill	Minister for Communications, Energy and Natural Resources	7 December 2010	4 Years

Alternative Energy Projects

212. **Deputy Billy Timmins** asked the Minister for Communications, Energy and Natural Resources the position regarding the fact that the Sustainable Energy Authority of Ireland is no longer supporting biomass or heat pump technologies and is still grant aiding gas and oil condensing burners (details supplied); when this change was introduced; the reason this was introduced; and if he will make a statement on the matter. [12637/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The Better Energy grant levels have been set to ensure that the level of Exchequer support is in

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line with market prices. Since the Greener Homes Scheme and Home Energy Savings (HES) schemes were launched in 2006 and 2009 respectively, there have been substantial reductions in the prices being charged for most of the measures covered by the schemes, the exception being external insulation, which is a relatively new technology in Ireland.

The grants for renewable technologies were recast in September 2007, again in July 2008 (on foot of changes to Part L of the Building Regulations), and once more in early 2010. The grants were amended in order to reflect falling market prices and the need to keep Exchequer incentive levels at an appropriate level in relative terms.

Measures being supported under the Better Energy programme are those designed to deliver the greatest energy savings, maximising the value achieved from the available budget allocation. In terms of prioritising available resources the focus must be on measures which deliver the best value for money in energy terms and for the consumer. In this context, state support is best served by prioritising building fabric improvements, then space and water heating efficiency and finally renewables.

Support for biomass and heat pumps through the Greener Homes Scheme was designed to develop a mature and functioning market, which is now in place. In addition, there was a considerable administrative overhead given the number of applications that were processed under this scheme.

The grant available for a new oil or gas boiler represents a contribution to the additional cost incurred by the homeowner in choosing a high efficiency boiler (i.e. greater than 90% efficiency) versus the standard required by the building regulations (i.e. greater than 86% efficiency). The homeowner must also install heating controls in order to avail of the €160 subsidy.

Broadcasting Services

213. **Deputy John O'Mahony** asked the Minister for Communications, Energy and Natural Resources if he will waive a levy imposed on a school (details supplied) who operate a school radio. [12299/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Section 33 of the Broadcasting Act 2009 requires the Broadcasting Authority of Ireland (BAI) to recoup the expenses properly incurred by the Authority and its statutory committees in the performance of their functions through the imposition of a levy or charge on public service broadcasters and broadcasting contractors. The terms of this levy, including method of calculation, are required to be set out in a Levy Order.

The Broadcasting Act 2009 (Section 33) Levy Order 2010 Statutory Instrument No. 7 of 2010 was enacted by both Houses of the Oireachtas on the 20th of January, 2010. There is no provision in the legislation for me, as Minister to grant a waiver in respect of the imposition of this levy on any broadcaster holding a broadcasting contract.

Energy Prices

214. **Deputy Frank Feighan** asked the Minister for Communications, Energy and Natural Resources the procedure for households to avail of Electric Ireland's new lower rates; if his attention has been drawn to the difficulty in getting in touch with any person within this company using their advertised phone number; and if every household can receive a slip with their ESB bills to enable them to apply for this scheme. [12358/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I have no statutory function in the setting of energy prices, whether in the regulated or non-regulated sector. Responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body. ESB Electric Ireland's price plans and its roll out are a day-to-day operational matter for ESB Electric Ireland in which I have no function. I will, however, bring the Deputy's query to the attention of ESB Electric Ireland.

Telecommunications Services

215. **Deputy Robert Troy** asked the Minister for Communications, Energy and Natural Resources if he has been in contact with Eircom regarding the upgrade of the phone exchange to enable the provision of broadband at a location (details supplied) in County Westmeath; and if he will make a statement on the matter. [12359/11]

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, regulated by the independent regulator, the Commission for Communications Regulation (ComReg). Broadband services are provided by a number of private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite. Decisions relating to the upgrading of eircom exchanges are commercial matters for the management of the company. I have no role or function in such matters.

216. **Deputy Alan Farrell** asked the Minister for Communications, Energy and Natural Resources his plans to deliver high speed broadband services to the Naul, County Dublin; and if he will make a statement on the matter. [12424/11]

217. **Deputy Alan Farrell** asked the Minister for Communications, Energy and Natural Resources his plans for the complete delivery of high speed broadband services to north County Dublin; and if he will make a statement on the matter. [12425/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I propose to take Questions Nos. 216 and 217 together.

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, regulated by the independent regulator, the Commission for Communications Regulation (ComReg). Broadband services are provided by a number of private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite.

Under the NewERA proposals in the Programme for Government to deliver higher broadband speeds, there is a commitment to co-invest with the private sector and commercial Semi State sector to provide Next Generation Broadband to every home and business in the State. Consideration of how best to advance these proposals is being advanced by my Department with other stakeholders across Government.

Additionally, in order to accelerate the development of high speed broadband, my officials have been engaging with industry. The Next Generation Broadband Taskforce (NGBT), which I chair, will consider how best to roll out Next Generation Broadband. The NGBT, which includes representatives of large network owners and smaller telecommunications services providers, will meet shortly to discuss policy and related matters. I expect that the NGBT will be

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helpful in terms of identifying the optimal policy position to deliver wider customer access to high-speed broadband.

Offshore Exploration

218. **Deputy Catherine Murphy** asked the Minister for Communications, Energy and Natural Resources if he is satisfied that the consent (details supplied) granted on the 25 February 2011 regarding the Corrib gas project fully complied with the judgment of the ECJ in case 2009/50 Commission v. Ireland; and if he will make a statement on the matter. [12543/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The judgement referred to by the Deputy is a judgement about the manner in which Ireland transposed an EC environmental Directive. It is not a judgement on the validity of any consent granted to a project or programme.

As I indicated to the House in my reply to Question Number 178 on 22 March 2011, it is my understanding that the consents referred to by the Deputy are valid consents.

Energy Conservation

219. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources the position regarding the introduction of a pay as you save financial model as part of the new better energy grant scheme; and if he will make a statement on the matter. [12620/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): Pay as you save is a financial model which would allow energy consumers to finance energy efficiency upgrades through the energy savings generated. The Programme for Government commits to the roll out of a pay-as-you-save scheme after 2013 to enable the home energy efficiency programme to continue without recourse to public funding. My Department is working with the Sustainable Energy Authority of Ireland, the utilities and financial institutions to develop proposals for the introduction of a national pay-as-you-save scheme in line with this timeframe.

There are considerable complexities involved in the development of a PAYS scheme and comprehensive consultation with all stakeholders will be required. I expect to bring forward legislation to underpin the scheme next year.

In the interim, I have secured an additional €30 million to support Better Energy as already announced.

National Lottery Funding

220. **Deputy Sean Fleming** asked the Minister for Communications, Energy and Natural Resources if he will outline separately in each of the past five years the amount received by his Department in respect of national lottery funding; the grants approved by him; the amounts actually paid out by him; the position regarding the balance yet to be paid out; and if he will make a statement on the matter. [12723/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I wish to advise the Deputy that my Department has not received National Lottery Funding in any year since its formation in June 2007. Arising from the Deputy's question I am examining whether this Department ought to be making such application in the future.

Energy Conservation

221. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources if he will report on the results of CER's smart metering trials; when the roll out of the national smart meter programme will commence; the form that it will take; and if he will make a statement on the matter. [12727/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The National Smart Metering Programme is a central component of strategy to radically enhance management of energy demand, deliver smart networks and enable greater energy efficiency through the use of cutting-edge technology. It is also in line with EU requirements where Member States are obliged to progress smart metering.

Development of a national smart meter programme is progressing to schedule. Phase 1 of the programme concludes this year with the completion of Technology Trials and Customer Behaviour Trials for both electricity and gas smart metering. The aim of the Customer Behaviour Trials is to determine the potential for smart meters to achieve measurable change in consumer behaviour in terms of assisting them to reduce their peak and overall energy usage. The electricity trials, which have been among the most comprehensive and robust smart metering trials conducted internationally to date, have recently been completed and the findings were published by the Commission for Energy Regulation (CER) on 16 May. The findings generally indicate that a national rollout of electricity smart metering can assist consumers in being more efficient in their use of electricity and as a result reduce consumer electricity costs and carbon emissions. The results of the gas smart meter trials will be published by the CER later this year.

A critical component of Phase 1 of the national smart meter programme is the associated cost-benefit analysis, which will crucially inform the Government's decisions in due course relating to a national smart metering rollout. The Cost-Benefit Analysis for electricity smart metering was recently finalised by the ESRI informed by the electricity trials findings and other data. This comprehensive analysis, which was also published by the CER on 16 May, concludes that a positive net benefit for consumers would arise from a national rollout of electricity smart metering.

The positive findings from the electricity smart metering trials and associated cost-benefit analysis will inform and facilitate the further development of the national smart meter programme. The CER proposes to undertake a consultation with stakeholders in the coming months on the proposed high level regulatory design and implementation approach for a national smart metering rollout. It is proposed that this consultation will cover both electricity and gas smart metering, taking into account also the results of the gas smart meter trials and associated cost-benefit analysis, which are due in August. The CER expects to be in a position to publish its decision on a national smart metering rollout for electricity and gas in October. Publication of the CER's decision will mark the formal conclusion of Phase 1 of the programme. Following the CER Decision and further analysis by my Department, I intend to bring forward proposals on the Programme to Government towards the end of the year.

Inland Fisheries

222. **Deputy Brendan Griffin** asked the Minister for Communications, Energy and Natural Resources if mono or multi-mono netting will be permitted for draft net salmon fishermen in view of the changes to conservation measures that are now in place; and if he will make a statement on the matter. [12784/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): I understand that the Deputy is referring to the proposal to re-open the licensed commercial fishery in Castlemaine Harbour, County Kerry.

In its recent report on the outcome of the pilot fishery conducted in the harbour during the summer of 2010, Inland Fisheries Ireland (IFI) recommended that a licensed commercial fishery should be permitted in Castlemaine Harbour in 2011, inside the rivers Laune, Maine and Caragh and within specified areas of the harbour. IFI has, inter alia, recommended the use of multi-strand monofilament draft nets for fishing in this proposed fishery.

The use of multi strand monofilament nets was monitored as part of the Castlemaine pilot and having considered the findings IFI recommend that this method be used for the prosecution of a licensed fishery in the Harbour. I am advised that the catch advice provided by the Standing Scientific Committee has already factored in the precautionary approach and the fishery is constrained by quota and timing. Thus the management advice recommends that fishermen be permitted to use the most efficient methodology possible to harvest their quota of fish.

IFI recommend that even though all draft net fisheries are subject to quota and timing restrictions, the introduction of monofilament and multistrand monofilament nets should only be considered on a case by case basis and based on best scientific and management advice.

I propose, therefore, to introduce a Bye-law to provide for the opening of the Castlemaine Harbour fishery and to allow the use of multi-strand monofilament in fishing for salmon and sea trout, subject to the outcome of the 30 day consultation on the required amendment to the Wild Salmon and Sea Trout Tagging Scheme Regulations 2011.

Departmental Agencies

223. **Deputy Dominic Hannigan** asked the Minister for Communications, Energy and Natural Resources further to Parliamentary Question No. 307 of 17 May 2011, the reason he is not in a position to issue similar instructions to the agencies under his aegis; and if he will make a statement on the matter. [12792/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): As stated in my reply to Question No. 307 from the Deputy, the payment of subscriptions by State Agencies in respect of corporate membership of organisations, including Irish Business and Employers Confederation is a day-to-day operational issue for the Agencies themselves.

I have requested the Agencies to provide the information directly to the Deputy.

National Lottery Funding

224. **Deputy Dara Murphy** asked the Minister for the Environment, Community and Local Government if he will provide details of the amount of funding allocated from the National Lottery Beneficiary Fund since 1998 to projects in the Dáil constituency of Cork North Central as part of the community development programme. [12667/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Some €7.1 million has been provided through the Community Development Programme to 7 Community Development Projects in Cork City since 2002. Details of individual annual amounts provided to each Project since 2002 are set out on an annual basis in the table below.

Details of funding provided to Projects for the period prior to 2002 are not held by my Department. However, I understand that this information is available in the Dáil Library.

Table of funding for Cork City CDPS 2002-2010

Name of Group	2002	2003	2004	2005	2006	2007	2008	2009	2010
	€	€	€	€	€	€	€	€	€
Ballyphehane Togher CDP	120,448	109,430	115,876	127,600	135,000	138,677	147,000	129,889	129,889
Farranree CDP	106,200	100,200	112,975	124,164	118,100	136,689	140,000	123,704	123,704
Glen CDP	83,889	80,080	92,704	96,300	121,584	117,500	126,500	114,290	111,775
Gurranabraher CDP	0	0	0	23,000	34,320	33,000	67,500	54,676	59,981
Mahon CDP	176,579	110,000	117,250	129,150	136,697	158,561	151,000	133,424	133,424
Mayfield CDP	221,815	109,000	220,531	115,185	125,184	140,465	131,500	116,193	116,193
We the People	115,613	101,600	111,537	116,945	122,850	139,711	136,000	117,519	118,467
Total	824,544	610,310	770,873	732,344	793,735	864,603	899,500	789,695	793,433

Services for People with Disabilities

225. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government if he will have arrangements made for all major and big hotels here be requested to have available one bedroom that would be fully disabled person friendly. [12694/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Part M (Access for People with Disabilities) of the Second Schedule to the Building Regulations, as amended, makes provision for the access and use of buildings, including hotels, by people with disabilities. Building Regulations apply to new buildings and, in certain circumstances, to works involving an extension, material alteration or material change of use to an existing building.

Specific guidance on how a hotel can comply with its obligations under Part M is set out in TGD-M, with specific provisions included in section 1.18. In general terms, one guest bedroom out of every twenty is required to be suitable in terms of size, layout and facilities for independent use by a wheelchair user.

Part M /TGD M of the Building Regulations has recently been reviewed and the revised requirements and guidance will come into effect from 1 January 2012. Guidance in relation to accessible sleeping accommodation, in particular, has been considerably enhanced.

Planning Issues

226. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if there has been a local labour clause inserted into the agreement for the regeneration of an area (details supplied). [12304/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Planning permission was granted on 5 May 2011 for a mixed use development with 253 residential units, offices, retail units, restaurants, community sports facilities and a cinema at this location. It is envisaged that some 139 of the residential units will be used for social housing with a significant number being set aside as replacement units for current residents. This planning decision is another step in the PPP procurement process for the regeneration of the Charlemont Flat Complex. This will allow Dublin City Council to proceed to the next stage, a value for money assessment of the involvement of the private sector, whereby a benchmark price is set against which tenders will be evaluated. This bench-

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mark is prepared in partnership with the National Development Finance Agency (NDFA) and my Department.

The inclusion of a local labour clause, along with other aspects of the bid process, will form part of the discussions with the NDFA in formulating the benchmark price. While it is not possible at this stage in the process to provide details of the final agreement, every opportunity to stimulate local employment opportunities, subject to legislative constraints, will be explored. The provision of commercial, retail and cinema units at this location will, of itself, provide local employment opportunities, in addition to those arising during the construction and implementation phases of the project.

Dormant Accounts Fund

227. Deputy Maureen O'Sullivan asked the Minister for the Environment, Community and Local Government, having regard to the objective of reuniting dormant account holders and policyholders or their next of kin with their dormant funds and unclaimed policies in credit institutions and insurance undertakings, the current reserve within the dormant accounts fund against future claims; the way this level of reserve compares to dormant accounts funds internationally; if any consideration has been or is being given to revising the level of reserve; and if he will make a statement on the matter. [12307/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The current reserve within the Dormant Accounts Fund as of the 31 March 2011 is €46m. The reserve fund is retained by the National Treasury Management Agency (NTMA) to meet future reclaims and cover the expenses of the Board and the NTMA.

Under Section 17(4) of the 2001 Act, the NTMA has determined, with the approval of the Minister for Environment, Community and Local Government, given with the consent of the Minister for Finance, that 15% of the total moneys received by the Fund and not yet reclaimed should be paid into the Reserve Account. The value of the Reserve Account at end 2010 was €348 million.

Comparing the Reserve Account to international standards is not relevant as the Reserve Account is used primarily to meet reclaims (where a previously dormant account is reactivated by its owner) and therefore the determination of the appropriate level of the Reserve Account is driven by the trend within Ireland in reactivation of previously dormant accounts. The level of the Reserve Account is reviewed annually as part of the investment plan for the Dormant Accounts Fund.

228. Deputy Maureen O'Sullivan asked the Minister for the Environment, Community and Local Government the current level of surplus or otherwise in the dormant accounts fund; in the event of a tapering off of disbursements from the dormant accounts fund the strategic role envisaged from this balance in the national finances; and if he will make a statement on the matter. [12308/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Dormant Accounts Acts provide for an annual transfer by credit institutions and insurance undertakings of monies in accounts determined to be dormant into the Dormant Accounts Fund (DAF). Since its establishment in April 2003 to the end of March 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 €209m. The net value of the Dormant Accounts Fund (uncommitted funds) is €52.5million. On 1 May 2011, the

functions relating to Dormant Accounts, previously administered by the Department of Community, Equality and Gaeltacht Affairs, transferred to my Department.

A summary of the current status of the DAF is available on the website *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 March 2011. Disbursements from the DAF are paid from the Votes of the relevant Departments which, in turn, are reimbursed from the Fund. Expenditure under the Fund is spread across some 10 Departments and Agencies.

229. Deputy Maureen O’Sullivan asked the Minister for the Environment, Community and Local Government the social, economic or other policy objective that has been achieved by exempting dormant balances in credit unions from the provisions of the Dormant Accounts Acts; and if he will make a statement on the matter. [12309/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The position as regards dormant accounts funding is that, in practical terms, increasing the amount available in the Fund does not necessarily allow for the introduction of new dormant accounts measures or programmes. While applying the provisions of the dormant accounts legislation to credit union accounts would increase the amount available in the Fund, Government Departments and agencies would still have to source monies for dormant accounts programmes and measures from their Exchequer allocation, in the same way as with any other funding programmes. When the monies expended on dormant accounts measures and programmes are reimbursed from the Dormant Accounts Fund, the refund is to the Exchequer rather than to the spending Department. For this reason, dormant accounts expenditure is subject to the same constraints within Departments as any other spending programmes.

At a time of significant budgetary pressures, resulting in reduced allocations across Government Department Votes, there is a need to prioritise existing funding programmes. Expenditure on new dormant accounts measures or programmes could reduce spending on other existing programmes and serve to increase Government debt levels. As such, creating a potential new source of dormant accounts funding, such as credit union accounts, would serve little practical purpose at this time.

However, this is a matter I am prepared to keep under review, particularly in the context of any improvement to the budgetary situation.

230. Deputy Maureen O’Sullivan asked the Minister for the Environment, Community and Local Government the degree to which reports of dormant balances for a given year by the covered financial institutions are independently inspected, verified or examined for accuracy; and if he will make a statement on the matter. [12310/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under the Dormant Account Act 2001, as amended, and the Unclaimed Life Assurance Policies Act 2003, the Financial Regulator may authorise inspectors for the purpose of ensuring compliance by financial services providers with the provisions of the legislation. I do not have a remit in this matter.

231. Deputy Maureen O’Sullivan asked the Minister for the Environment, Community and Local Government, in relation to disbursements on dormant accounts measures, the way this will operate in the instance of the Health Service Executive; if the Health Service Executive has to source funding for dormant accounts programmes from its Exchequer allocation; once the HSE incurs the expenditure, if it is reimbursed from the Exchequer from the dormant

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accounts fund in the form of an appropriation-in-aid paid through the Department of Health and Children; if so, if he considers this the most cost-effective and benefit-effective way to expedite dormant accounts measures in the health sector including expenditure on suicide prevention programmes; and if he will make a statement on the matter. [12311/11]

237. **Deputy Maureen O’Sullivan** asked the Minister for the Environment, Community and Local Government if he will confirm that, as currently constituted, the Government accounting procedures treat it as an increase of the national debt when money from the dormant accounts fund is disbursed to a community-based or other project in the areas of economic and social disadvantage, educational disadvantage, schemes, programmes or services for persons with a disability and suicide prevention; pursuant to this, if he sees merit in reviewing the manner in which disbursements from the dormant accounts fund are treated in the Government accounts procedures; and if he will make a statement on the matter. [12451/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 231 and 237 together.

Under the Government Accounting procedures, disbursements on dormant accounts measures are paid in the first instance “up front” from each Agency or Department’s Vote in the same way as with any other spending programme. Therefore, Government Departments and Agencies have to source funding for dormant accounts programmes from their Exchequer allocation in the annual estimates process. The difference with dormant accounts expenditure compared with other funding programmes, however, is that once expenditure takes place, either on administration of the measure, or by the project itself, it is reimbursed to the Exchequer from the Dormant Accounts Fund in accordance with the Dormant Accounts Acts, in the form of Appropriations-in-Aid payable through the relevant Department’s Vote. In this way, the costs associated with dormant accounts measures are Exchequer neutral.

As a result of cumulative disbursements to date, the net assets of the fund are less than the dormant funds transferred and not yet reclaimed. This difference represents a contingent exchequer liability that would have to be met by the Exchequer in the event that all moneys transferred to the Dormant Accounts Fund were reclaimed. Under section 17(7) of the Dormant Accounts Act 2001, whenever the moneys in the Investment and Disbursement Account are insufficient to meet the deficiency in the Reserve Account, a payment can be made out of the Central Fund into the Reserve Account of an amount not exceeding the deficiency — such a payment would cause an increase in the national debt.

The Dormant Accounts (Amendment) Act (2005) allows for the disbursal of Dormant Accounts funding to the following themes:

- To improve the quality of life and reduce isolation for people who are economically or socially disadvantaged (Category A — Economic and Social Disadvantage)
- To improve opportunities for individuals who are economically or socially disadvantaged to overcome the impediments arising from such disadvantage through deriving appropriate benefit from education (Category B — Educational Disadvantage);
- To enhance the potential for persons with a disability to play a more active role in society and increase their level of independence (Category C — Supports for people with Disabilities).

Legislation is currently in preparation to dissolve the Dormant Accounts Board and introduce a revised disbursement process for Dormant Accounts Funding. The Bill has been listed for publication in the current Dáil session.

232. **Deputy Aodhán Ó Ríordáin** asked the Minister for the Environment, Community and Local Government if he will provide an update on the withdrawal of funding for a youth project (details supplied) in Dublin 3; and if he will make a statement on the matter. [12327/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Dormant Accounts Fund Acts provide for an annual transfer by credit institutions and insurance undertakings of monies in accounts determined to be dormant into the Dormant Accounts Fund (DAF). Since its establishment in May 2003 to end-March 2011, the net transfers to the DAF have totalled some €345m.

The project in question was awarded Dormant Accounts funding of €57,500 under Round 2 of the Dormant Accounts RAPID Additionality Measure. The grant has been used to develop a pilot project working with 8-10 year olds who are at risk from a range of social and economic disadvantages and to establish if earlier intervention adds value to the work of the youth project in addressing the issues of these young people at risk.

The Dormant Accounts Fund is not a source of mainstream funding and cannot of its nature be regarded as a source of indefinite funding for specific projects. In this regard the long-term sustainability of this particular project will have to be pursued with the relevant statutory agencies.

Noise Pollution

233. **Deputy Joe Costello** asked the Minister for the Environment, Community and Local Government if the outcome of the public consultation on the noise regulations has been published; his plans to introduce legislation on this matter; when the legislation will be published; and if he will make a statement on the matter. [12330/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A *Noise Issues Consultation Paper* was published in August 2008 to inform the development of a Noise Nuisance Bill proposed by the previous Government. My Department intended to publish the outcome of that consultation process to coincide with the introduction of the Noise Nuisance Bill in the Oireachtas. However, the Bill was not finalised for publication before the dissolution of the 30th Dáil.

The current Programme for Government includes a commitment to address noise pollution through the introduction of fixed payment notices (also known as on the spot fines) and provision for mediation between neighbours. Submissions received as part of the previous public consultation process on noise will be taken into consideration by my Department as the approach to new noise legislation is re-considered. As this process will influence the content and timing of new legislative proposals in this area, it was indicated in the Government Legislation Programme published on 5 April 2011 that it is not possible at this time to indicate when the legislation will be published.

Waste Management

234. **Deputy Joe Costello** asked the Minister for the Environment, Community and Local Government if he will clarify the legislation in relation to waste management responsibilities for rented properties including whole houses, subdivided houses and multi-unit dwellings; his

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plans for further legislation regarding same; and if he will make a statement on the matter. [12331/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under section 32(1A)(a) of the Waste Management Act 1996 it is the responsibility of the original waste producer or other waste holder to have waste collected, or to make appropriate arrangements for treatment, in accordance with the waste hierarchy.

Section 35 of the 1996 Act provides that a local authority may make bye-laws requiring a holder of household waste to present such waste, specifying sorting measures, quantities, location, times and other relevant matters. As such, it is a role of the relevant local authority to regulate the presentation of waste for collection, in alignment with the national, regional and local policy framework, for all categories of dwelling.

Under article 12 of the Housing (Standards for Rented Houses) Regulations 2008, a dwelling let for rent must generally have access to suitable and adequate pest and vermin proof refuse storage facilities. Where there is more than one dwelling in a building, these facilities may be provided individually for each dwelling or a communal facility can be provided for the building provided it is suitable and adequate to collect and store the refuse in an appropriate manner between collections. The presentation of refuse for collection, the manner in which it is presented and any charges for collection are the responsibility of the tenant.

As regards multi-unit developments, section 18 of the Multi-Units Development Act 2011 states that owners' management companies are required to operate a scheme of annual service charges from which the management company may discharge ongoing expenditure on expenses including waste management services.

I have no plans at this time to introduce further legislation in relation to this matter.

Unfinished Housing Developments

235. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government the number of bonds that have been called in by all local authorities relating to unfinished estates; and if he will make a statement on the matter. [12379/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Sections 34(4)(g) and 180(2)(b) of the Planning and Development Act 2000, as amended, enable planning authorities to attach conditions to grants of planning permission for development requiring the provision of financial securities sufficient to safeguard the satisfactory completion of essential infrastructure and amenities in those developments, and, if a development is not subsequently completed satisfactorily, to apply a security given under section 34 for the satisfactory completion of that development. It is a matter for the planning authority to determine both the level of the security and the type of security that will be required for each residential development. The amount of the security, its duration and the terms on which it is required to be given, should enable the planning authority, without cost to itself, to complete the necessary services to a satisfactory standard in the event of default by the developer. My Department does not keep statistics on the number of bonds called in by local authorities in this regard.

Closed Circuit Television Systems

236. **Deputy Nicky McFadden** asked the Minister for the Environment, Community and Local Government if further funding will be made available to RAPID organisations under the community closed circuit television scheme. [12397/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

The lead agency in relation to the Community Based CCTV Scheme is the Department of Justice and Equality and it is that Department which deals directly with applications and allocations under this scheme. Calls for bids are solely at the discretion of the Minister for Justice and Equality.

The overall purpose of the scheme is to support local communities who wish to install and maintain CCTV security systems in their area, with the aim of increasing public safety and reducing the risk of anti-social and criminal activity. The scheme was devised in response to a demonstrated demand from communities across Ireland for the provision of CCTV systems

It is designed to provide financial assistance to qualifying local organisations, towards meeting the capital costs associated with the establishment of local community CCTV systems. The maximum grant awardable by the Department of Justice and Equality is €100,000. My Department has provided matching funding to that allocated by the Department of Justice and Equality to successful applicants from RAPID areas, subject to the total grant aid from both Departments not exceeding €200,000 or 100% of the capital costs of the project, whichever is the lesser.

There have been two funding rounds, to date. The CCTV scheme is not open for bids at present.

Question No. 237 answered with Question No. 231.

Special Housing Needs

238. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 130 of 18 May 2011 his plans to investigate housing initiatives that are not functioning to their full potential; and if he will make a statement on the matter. [12452/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): I refer to the reply to Question No. 130 of 18 May, 2011. It is a matter for the local authority concerned to ensure that housing bodies manage and maintain capital funded projects in accordance with the terms of the capital funding schemes. My Department will ask Kildare County Council to review the matters raised and report on compliance, by the housing body in question, with the terms and conditions of the scheme.

Local Authority Housing

239. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that a council (details supplied) has written to tenants advising them that the tenant purchase sales scheme introduced in 1995 will cease on 13 June 2012; if his attention has further been drawn to the adverse effect that this will have on tenants who assumed they would be able to avail of the scheme in the future, that tenants, some of whom are tenants for more than ten years and may have invested in the property by improvements and so on, should not be disadvantaged in this way; and if he will make a statement on the matter. [12465/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): 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 3% per year of reckonable tenancy, up to a maximum discount of 45%, on the market price of a house they are eligible to purchase under

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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. Tenants of over 10 years who are interested in purchasing their local authority rented house should, therefore, take advantage of this scheme and, if eligible, apply to purchase their house before the scheme expires.

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 will be wound down in 2012 to be replaced by a new scheme based on the incremental purchase model. My Department therefore 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.

Air Pollution

240. **Deputy Eric Byrne** asked the Minister for the Environment, Community and Local Government the efforts being made by him or his agencies in dealing with foul smelling odours emanating from a meat rendering facility (details supplied) in Dublin 8. [12476/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Section 24(1) of the Air Pollution Act, 1987 imposes an obligation on the occupier of a non-domestic premises to use the best practicable means to limit and, if possible, prevent emissions to air. Section 24(2) stipulates that an occupier of any premises must not cause or permit an emission in such a quantity, or in such a manner, as to be a nuisance. Statutory responsibility for the enforcement of the Air Pollution Act is vested in the relevant local authority. The local authorities are empowered to require measures to be taken to prevent or limit air pollution and may direct the person on whom notice is served to take such measures as may be specified to prevent or limit air pollution.

Following complaints received by Dublin City Council, I understand that Environmental Health Officers have visited these premises and, to date, there has been no requirement to take enforcement action against the occupier. The Office of Environmental Enforcement (OEE) within the Environmental Protection Agency supervises the environmental protection activities of local authorities, through auditing their performance, providing advice and guidance, and, in appropriate cases, giving binding directions. In this regard, the OEE is a resource for members of the public who have exhausted all other avenues of complaint. The OEE can be contacted at 1890 33 55 99.

Dormant Accounts Fund

241. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will provide assistance to a group (details supplied) under the dormant account scheme or any other scheme that may be available. [12501/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The process in place with regard to support from the Dormant Accounts Fund provides for consideration of applications received on foot of advertised measures. I am advised that the group in question has not applied to my Department for Dormant Accounts Funding. The last such measure under my Department was advertised in 2009 and there are currently no dormant accounts measures, or other relevant funding programmes, open for application for this group within my Department.

Voluntary and Co-operative Housing

242. **Deputy Clare Daly** asked the Minister for the Environment, Community and Local Government if he will ensure that capital funds given to a voluntary housing organisation (details supplied) are used to carry out refurbishment works on their housing stock, in the first instance, particularly regarding the necessity to install central heating. [12532/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Under my Department's funding schemes for voluntary and co-operative housing projects, funding of up to 100% of the approved cost of accommodation is made available to approved housing bodies for the provision of social rented accommodation for people with special housing needs and for low-income families. My Department's involvement with voluntary and co-operative housing schemes relates primarily to the provision of funds for the construction or acquisition of dwellings. The detailed administration of the schemes, and the certification that projects comply with the terms and conditions of the funding schemes, are the responsibility of the local authority.

Approved housing bodies are responsible for the proper management and maintenance of dwellings provided under the terms of the schemes. Such costs are met from the resources of the housing body, including from rental income from tenants. In the case of standard accommodation for low-income families provided under the Capital Loan and Subsidy Scheme, an annual management and maintenance allowance is paid to the approved housing bodies in respect of each dwelling funded under the scheme. Apart from this annual subsidy, no capital funding is provided by my Department in respect of refurbishment works to voluntary and co-operative housing stock.

Local Authority Housing

243. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government if eligibility will be given to a person (details supplied) in County Kerry to qualify for emergency housing in view of the exceptional circumstances of their case; and if he will make a statement on the matter. [12550/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Under Section 9 of the Housing Act 1988, the statutory responsibility for determination of eligibility and assessment of housing need is entirely a matter for the relevant housing authority, in this case Kerry County Council. It is not open to me to intervene in any particular case with which the housing authority is concerned.

Services for People with Disabilities

244. **Deputy Seán Kenny** asked the Minister for the Environment, Community and Local Government regarding the national disability strategy, the Disability Act 2005 and sectoral plans, if funding is being provided in 2011 for local authorities to carry out accessibility audits and specific improvements in this area as applied in recent years. [12551/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In accordance with my Department's Sectoral Plan, under the Disability Act 2005, all local authorities were required to carry out an accessibility audit in respect of all public spaces, public buildings and services owned and operated by them. Local authorities were then required to draw up implementation plans setting out a programme of works to address any issues identified through the audit process. My Department provided over €77 million, between 2005 and 2010, to assist local authorities in improving access to public spaces, buildings and services for

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people with disabilities. Funding was allocated annually, for purposes of Disability Services, to local authorities, on the basis of priority areas identified by them in implementation plans. There is no provision for Disability Services in my Department's estimates in 2011.

Water and Sewerage Schemes

245. **Deputy Ciarán Lynch** asked the Minister for the Environment, Community and Local Government the direction he has given Cork County Council with regard to the Lee Road water treatment works upgrade or replacement project; if he will confirm that the plant will continue in public ownership on completion and that the treatment works will be incorporated into the national water utility envisioned in the programme for Government; and if he will make a statement on the matter. [12660/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): An upgrade of the Lee Road Water Treatment Plant is included in my Department's Water Services Investment Programme 2010-2012 as a contract to advance to construction during the period of the Programme. The planning of this project including the appropriate form of procurement has been underway for some time. The procurement option chosen for any scheme under the Water Services Investment Programme 2010-2012 is based on an assessment of the best value for money from a whole life perspective. Each proposal is examined on a case by case basis and local authorities are obliged by the Department to examine all potential options before an appropriate procurement option is decided upon.

My Department has considered the appraisal in this regard conducted by Cork City Council in respect of the proposed upgrade of Lee Road Water Treatment Plant. The results of this consideration were communicated to Cork City Council in relation to the procurement route to be adopted for the investment in April 2011. Having regard to the need to secure optimum value for money and timely delivery, and ensure compliance with the drinking water standards, the Council was advised that the Department considered that the project should be advanced using the Public Private Partnership (PPP) — Design/Build/Operate approach.

A fundamental principle of water services PPPs is that, while the infrastructure is operated under contract to the local authority, it remains at all times in the authority's ownership. The Water Services Act 2007 underlines that position by expressly prohibiting the transfer of any water services assets or infrastructure, or any part of such assets or infrastructure, to any person.

The *Programme for National Recovery 2011-2016* states that the Government will create Irish Water, a new State company that will take over key water/waste water functions from the 34 existing local authorities. The Programme of Financial Support for Ireland agreed between the Government and the EU/IMF refers to the conduct of "an independent assessment of the transfer of responsibility for water services provision from the local authorities to a water utility". The independent study required under the EU/IMF agreement is being progressed and will guide the implementation of the strategy set out in the Programme for Government, identifying the optimum role and functions of the proposed company. Among the issues to be consideration in the study will be the management of the water services investment programme, the management of existing contracts for capital projects and the operation of existing plants.

Social and Affordable Housing

246. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government the eligibility for social housing of non-EEA citizens holding a stamp 4; if the current guidance for housing authorities document is correct in stating that the person

must have had a stamp 4 for at least five years; and if he will make a statement on the matter. [12681/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): To be eligible for social housing support, a person must have a long-term right to reside in the State. My Department has given general guidance to authorities on how to assess whether an applicant for housing support has such a long-term right to reside in the State. The latest guidance to local authorities in respect of access to social housing supports for non-Irish nationals, including non-EEA nationals, is set out in my Department's Circular letter SHIP 2010/19 of 24 September 2010. Generally speaking, a non-EEA national with a Stamp 4 endorsement for at least 5 years is eligible on residence grounds to be considered for social housing support. As part of its ongoing liaison with the Irish Naturalisation and Immigration Service, my Department will review the guidance to local authorities to ensure that it reflects and interprets correctly the position of non-EEA nationals granted immigration Stamp 4.

Proposed Legislation

247. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government his plans to enact new legislation to ensure the sustainable future development of cemeteries; and if he will ensure that the development of new burial grounds is not left in the hands of speculators in view of the fact that many graveyards in Dublin have reached or are nearing full capacity and there is a necessity to provide additional burial grounds; and if he will make a statement on the matter. [12738/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Under the Local Government (Sanitary Services) Acts, 1878 to 2001, local authorities are deemed to be burial boards for their respective functional areas. Acting in their capacity as burial boards, local authorities are responsible for the management, regulation and control of burial grounds in their functional area. With the coming into effect of the Local Government Act 1994 Ministerial consent, for the use of land as a burial ground, is no longer required. Therefore, ensuring the adequate provision of burial facilities, in their functional areas, is entirely a matter for the relevant local authority. There are currently no plans to introduce new legislation in relation to burial grounds.

Local Authority Staff

248. **Deputy Marcella Corcoran Kennedy** asked the Minister for the Environment, Community and Local Government the position regarding funding for litter wardens (details supplied) in County Offaly; and if he will make a statement on the matter. [12748/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): There is no specific European Union funding to provide for the employment of litter wardens in local authorities. Offaly County Council, like all local authorities, is required to comply with all relevant employment legislation, and more broadly with Government policy on public sector numbers, in the context of employment by the authority.

Social and Affordable Housing

249. **Deputy Derek Nolan** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that new housing assessment regulations which amalgamate some local authorities for the purposes of housing applications are proving to be administratively impractical due to local authorities having no common information

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systems; if this amalgamation will be reviewed; and if he will make a statement on the matter. [12755/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The Social Housing Assessment Regulations, 2011, establishing a new system for assessing applicants for social housing support, came into effect on 1 April 2011. In the interests of facilitating access to social housing support and using local authority resources to best effect, the Regulations provide for a single application by households that goes beyond the boundaries of the functional areas of individual housing authorities. The Regulations do not amalgamate local authorities.

The Local Government Computer Services Board is currently developing information technology systems to support all aspects of the new social housing assessment system. At present, the number of applications which relate to more than one housing authority area is small, and authorities should have the capacity to deal with the administrative issues involved in sharing information with other authorities. As the number of applications increases, new information technology systems will be deployed to manage the new arrangements.

Water and Sewerage Schemes

250. **Deputy Brendan Ryan** asked the Minister for the Environment, Community and Local Government if the necessary funding for proposed projects (details supplied) will be made available to relieve the existing treatment facilities which are operating at full capacity; and if he will make a statement on the matter. [12760/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The new Wastewater Treatment Plant at Portrane, which is currently under construction, will provide wastewater treatment facilities for Rush and is being funded under my Department's Water Services Investment Programme 2010-2012. Some network improvements in the Rush area of the Portrane/Donabate/Rush/Lusk Sewerage Scheme are included in the Programme among the list of schemes in the county to progress through planning in the period 2010 to 2012. Fingal County Council proposes to provide wastewater treatment facilities for Loughshinny at the wastewater treatment plant at Barnageerah, which was provided as part of the Balbriggan/Skerries Sewerage Scheme. Network upgrades for the Balbriggan/Skerries Sewerage Scheme, including connecting Loughshinny into the system, are included in the Water Services Investment Programme 2010-2012 to progress through planning. My Department is awaiting proposals from Fingal County Council regarding the advancement of planning for this work.

Local Authority Housing

251. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government the number of local authority mortgage holders in arrears in quarters 1, 2, 3, and 4 in 2008, 2009 and 2010 and in quarter 1 of 2011; and if he will provide a breakdown of the length of time each holder is in arrears over 90 days and over 180 days. [12773/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The detailed information sought in the question is not available in my Department. The most recent published data in relation to mortgage arrears are the Service Indicators 2009, published earlier this year and available on the Local Government Management Services Board website. These show local authority mortgage arrears levels running at 15.08%, an increase of 3.38% on 2008.

252. **Deputy Catherine Byrne** asked the Minister for the Environment, Community and Local Government the budget for housing maintenance in Dublin City Council for 2011; his views of whether many council tenants are in dire need of building work and extensions on their homes; and if he will make a statement on the matter. [12775/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Under section 58 of the Housing Act 1966, the management and maintenance of the local authority housing stock, including the compilation and funding of ongoing maintenance programmes, is a matter for individual authorities.

My Department's Social Housing Investment Programme provides capital funding to local authorities each year in respect of a range of measures to improve the standard and overall quality of their social housing stock. The measures range from large-scale regeneration projects to smaller estate-wide remedial works, the carrying out of repairs and refurbishment works to individual properties and the provision of adaptations or extensions to meet the needs of particular tenants.

In addition to the €53 million capital allocation to support the ongoing regeneration of Ballymun, allocations totaling almost €28 million have been notified to Dublin City Council in respect of their social housing improvement programmes for 2011. The allocations cover the following measures:

- €7 million for regeneration at St Michael's Estate, O'Devaney Gardens, Dominick Street, St. Teresa's Gardens, Croke villas and Dolphin House;
- €6 million for regeneration of Inner City Flat Complexes;
- €8.6 million for estate-wide remedial works programmes;
- € 5.5 million for improvement works to dwellings;
- €880,000 in respect of extensions and adaptation works to houses and improvement works in lieu of social housing.

Departmental Agencies

253. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 537 of 17 May 2011, the reason he is not in a position to issue similar instructions to the agencies under his aegis; and if he will make a statement on the matter. [12791/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department does not hold this information. Day-to-day operational matters, including membership of professional organisations, of the agencies under the aegis of my Department are matters for the agency or body concerned. My Department is referring the Deputy's question to the agencies concerned for direct reply.

Housing Grants

254. **Deputy Paul J. Connaughton** asked the Minister for the Environment, Community and Local Government if grants will be made available to homeowners in the next two to three years to install water harvesting tanks; and if he will make a statement on the matter. [12811/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): There is potential for the use of harvested rainwater as an alternative source of water for various business and commercial operations and for supplying toilet cisterns, washing machines etc. in domestic situations. There are also the environmental and economic benefits that can accrue from reducing the demand for water abstraction at source and the subsequent and expensive treatment of raw water for human consumption. The Department of Agriculture, Fisheries and Food recently introduced a scheme of grant aid for the installation of rainwater harvesting equipment on farms. Details of the scheme are available on that Department's website at www.agriculture.gov.ie. The introduction of a grants scheme for any purpose must be managed within current budgetary constraints and, in so far as the funds administered by my Department are concerned, there are currently no plans to introduce a scheme of grant aid for the installation of rainwater harvesting equipment by homeowners.

Building Regulations

255. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 205 of 19 April 2011, the status of his reply to the correspondence referred to therein. [12846/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 58 of 24 March 2011. I have no plans to amend the Building Control Act 2007 in relation to the arrangements in place for the registration of persons permitted to use the title of Architect. However, the fees charged for registration, which must be approved by me in my capacity as Minister, are currently being considered and I will be in contact with the Deputy shortly to advise him of my decision in relation to same.

Parental Leave

256. **Deputy Seán Ó Fearghaíl** asked the Minister for Justice and Equality if a person (details supplied) is entitled to parental leave; and if he will make a statement on the matter. [12783/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that parental leave is available to a parent if they are the natural parent, the adoptive parent, the adopting parent or acting *in loco parentis* to the child. It is not my function as Minister to interpret the law in particular cases. I suggest the person concerned could consult with the Equality Authority, the National Employment Rights Authority or their own legal adviser.

Departmental Expenditure

257. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the total cost of hiring the 02 venue Dublin and other premises for Garda briefings on the visit of Queen Elizabeth II of Britain to this State broken down by premises; the names of each of the venues; and if he will make a statement on the matter. [12314/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Commissioner is the Accounting Officer for the Garda Vote in accordance with the Garda Síochána Act 2005. I am informed by the Garda authorities that the information sought by the Deputy is not currently available. I have, however, asked that the details be provided and I will contact the Deputy when this has been done.

258. **Deputy Jonathan O'Brien** asked the Minister for Justice and Equality the total cost of accommodating gardaí in hotels in order to facilitate the visit of Queen Elizabeth II to this

State; the names of these hotels; the amount paid to each of the hotels; and if he will make a statement on the matter. [12315/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Garda Commissioner is the Accounting Officer for the Garda Vote in accordance with the Garda Síochána Act 2005. I am informed by the Garda authorities that the information sought by the Deputy is not currently available. I have, however, asked that the details be provided and I will contact the Deputy when this has been done.

Citizenship Applications

259. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality when a decision will issue on applications for citizenship in respect of persons (details supplied) in County Galway; and if he will make a statement on the matter. [12320/11]

Minister for Justice and Equality (Deputy Alan Shatter): Valid applications for a certificate of naturalisation from the persons referred to in the Deputy's Question were received in the Citizenship Division of my Department in April 2009. The applications are currently being processed with a view to establishing whether the applicants meet the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

In that context, as I outlined in response to Parliamentary Question Number 69 of 7th April last, I can inform the Deputy that I have initiated steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements will be publicly announced once my Department is in a position to implement them.

The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

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.

Crime Prevention

260. **Deputy Joe Costello** asked the Minister for Justice and Equality if he will clarify if anti-social behaviour orders can be issued to persons on private property causing a disturbance to their neighbours; the powers the Garda has regarding same; and if he will make a statement on the matter. [12334/11]

Minister for Justice and Equality (Deputy Alan Shatter): Part 11 of the Criminal Justice Act 2006 provides for civil proceedings in relation to anti-social behaviour by adults, and Part 13 of the Act relates to anti-social behaviour by children. The Act provides that a person behaves in an anti-social manner if the person causes or, in the circumstances, is likely to cause, to one or more persons who are not of the same household as the person harassment, significant or persistent alarm, distress, fear or intimidation or significant or persistent impairment of their use or enjoyment of their property. Anti-social behaviour is not restricted to behaviour in a public place.

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The provisions of Parts 11 and 13 of the Act set out an incremental procedure for addressing anti-social behaviour by adults and children. With regard to adults, these include behaviour warnings issued by a member of An Garda Síochána and civil orders made by a court. With regard to children, they range from a good behaviour contract involving the child and his or her parents or guardian, to referral to the Garda Juvenile Diversion Programme and to the making of a behaviour order by the Children Court.

With regard to both adults and children, a behaviour warning remains in place for three months from the date of issue. With regard to children specifically, a good behaviour contract lasts for six months, but may be renewed for a further three months. A behaviour warning allows the person who is the subject of the warning, and where appropriate parents and guardians, to address the behavioural problem which resulted in the warning to be issued, so that the issue of a civil order (in the case of an adult) or a behaviour order (in the case of a child) is not necessary.

In setting up the regime in the Act the intention was that the different interventions would address the problem behaviour. If they succeeded, there would be no need to apply to the courts for an order. It is only if they failed to lead to a behaviour adjustment by the person in question, that a court order would be applied for.

Garda Stations

261. **Deputy Joe Costello** asked the Minister for Justice and Equality when the proposed works will be carried out at a location (details supplied); if money for the refurbishment is included in this year's budget; the timescale for the commencement and completion of the works; and if he will make a statement on the matter. [12335/11]

Minister for Justice and Equality (Deputy Alan Shatter): The programme of replacement and refurbishment of Garda accommodation is based on agreed priorities established by An Garda Síochána. This programme is progressed by the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation.

I am advised by the Garda authorities that work on the refurbishment of Mountjoy Garda station is currently under way. It is anticipated that this work will be completed by mid 2011. At that stage the refurbished premises will be in a position to accommodate the station party from the station referred to by the Deputy while refurbishment works are carried out at that station. Arrangements are currently being progressed to ensure that a Garda service will be maintained at the location referred to during the period the relevant members are stationed at Mountjoy. Garda capital building works, including the project referred to by the Deputy, are financed from the Vote of the Office of Public Works.

Asylum Applications

262. **Deputy Dara Calleary** asked the Minister for Justice and Equality the status of an asylum application in respect of a person (details supplied). [12347/11]

Minister for Justice and Equality (Deputy Alan Shatter): The asylum application lodged by the person concerned was considered by the Office of the Refugee Applications Commissioner and the Refugee Appeals Tribunal, both of whom concluded that the person concerned did not meet the criteria for recognition as a refugee.

Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by

letter dated 13th April, 2011, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him. In addition, he was notified of his entitlement to apply for Subsidiary Protection in accordance with the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Garda Vetting of Personnel

263. **Deputy Emmet Stagg** asked the Minister for Justice and Equality the reason for the delay in issuing a Garda vetting certificate to a person (details supplied) in County Kildare. [12366/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that a vetting application in respect of the person to whom the Deputy refers was received by the Garda Central Vetting Unit and is in the course of being processed. A response will issue to the registered organisation involved in due course.

Asylum Applications

264. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency status of a person (details supplied) in Dublin 12; and if he will make a statement on the matter. [12380/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned applied for asylum on 3 August 2004. The Refugee Applications Commissioner refused her a declaration of refugee status. This decision was subsequently affirmed by the Refugee Appeals Tribunal. Following an examination of the file under section 3 of the Immigration Act, 1999 and section 5 of the Refugee Act, 1996 the Minister decided to sign a Deportation Order in respect of the person concerned on 20 April 2005. As the person concerned instituted Judicial Review proceedings on 10 May 2010 challenging the Deportation Order made in respect of her I do not propose to comment further as the matter is now *sub judice*.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such

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cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

265. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency status of a person (details supplied) in Dublin 1; and if he will make a statement on the matter. [12381/11]

Minister for Justice and Equality (Deputy Alan Shatter): Arising from the refusal of his asylum application, and in accordance with the provisions of Section 3 of the Immigration Act 1999 (as amended), the person concerned was notified, by letter dated 25th May, 2005, that the Minister proposed to make a Deportation Order in respect of him. He was given the options, to be exercised within 15 working days, of leaving the State voluntarily, of consenting to the making of a Deportation Order or of making representations to the Minister setting out the reasons why a Deportation Order should not be made against him.

On 18th July, 2006, a formal “take back” request was received from the United Kingdom (UK) in respect of the person concerned in accordance with Article 16(1)(e) of Council Regulation (EC) 343 of 2003. This request was made because the person concerned had made an application for asylum in the UK. This request was accepted by Ireland and arrangements were made for his return from the UK to Ireland on 18th August, 2006. On 23rd June, 2008, a second formal “take back” request was received from the UK in respect of the person concerned in accordance with Article 16(1)(e) of Council Regulation (EC) 343 of 2003, on the basis that he was in the UK without permission. This request was again accepted by Ireland. However, the person concerned arrived back in Ireland before formal arrangements were made for his return from the UK.

The person concerned has submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome. In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by Email using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Citizenship Applications

266. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the citizenship status of a person (details supplied) in Dublin 14; the likelihood of citizenship being granted in this case; and if he will make a statement on the matter. [12382/11]

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 January 2009. The application is currently being processed 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 as expeditiously as possible.

In that context, as I outlined in response to Parliamentary Question Number 69 of 7th April last, I can inform the Deputy that I have initiated steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements will be publicly announced once my Department is in a position to implement them. The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

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.

267. Deputy Bernard J. Durkan asked the Minister for Justice and Equality the procedures followed to date and yet to be followed in the case of a person (details supplied) in County Roscommon; and if he will make a statement on the matter. [12383/11]

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 2009. The application is currently being processed 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 as expeditiously as possible.

In that context, as I outlined in response to Parliamentary Question Number 69 of 7th April last, I can inform the Deputy that I have initiated steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements will be publicly announced once my Department is in a position to implement them. The granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process.

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.

Explosive Devices

268. Deputy Dara Calleary asked the Minister for Justice and Equality the number of viable explosive devices found here in 2011; his strategy to deal with this issue; and if he will make a statement on the matter. [12459/11]

Minister for Justice and Equality (Deputy Alan Shatter): The total number of viable explosive devices found to date in 2011 is 22. In spite of a substantial increase in recent years in the number of call outs to deal with Improvised Explosive Devices (IEDs), 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

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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 abroad and through continuing liaison with international agencies. The effectiveness of the Defence Forces in this very important function has undoubtedly saved many lives.

Legal Aid Service

269. **Deputy Barry Cowen** asked the Minister for Justice and Equality the average waiting times for a legal aid appointment in both criminal and civil cases. [12473/11]

Minister for Justice and Equality (Deputy Alan Shatter): The information requested by the Deputy concerning civil and criminal legal aid is set out below.

Civil Legal Aid

The Legal Aid Board is charged by statute with the provision of legal aid and advice in civil matters to persons of modest means. It is obliged to provide such services within the resources available to it. The Board's services are provided to clients through a network of thirty three law centres (including the Refugee Legal Service) located throughout the country. This network is complemented by the use of private solicitors as required. Persons seeking legal services do so by applying to any of its law centres.

Waiting Times

The Deputy should note that it is difficult to give average waiting time information such as that requested. Firstly, the Board prioritises certain types of case where it is considered that an immediate or near immediate service is required e.g. domestic violence cases, child abduction cases, and cases involving State intervention in relation to the welfare of children. About 15% of applications fall within this category. In addition, a significant number of cases involving representation before the District Court for family matters are effectively prioritised by being referred to private solicitors for the purpose of providing a service. Waiting times for matters that are not prioritised or referred to private solicitors vary from law centre to law centre and in each centre from month to month. In light of this, and in order to be of assistance, waiting times information is being provided on a centre by centre basis at certain points in time. The following table gives the waiting times (in months) as of 1 January 2010, 1 January 2011 and 1 May 2011.

Law Centre	1 January 2010	1 January 2011	1 May 2011
Blanchardstown	4	6	4

Law Centre	1 January 2010	1 January 2011	1 May 2011
Nth Brunswick St	5	4	3
Clondalkin	6	5	7
Finglas	3	5	5
Gardiner St	6	5	5
Tallaght	3	9	10
Popes Quay Cork	2	3	2
South Mall Cork	5	7	6
Cavan	4	5	6
Clare	3	2	3
Donegal	1	3	1
Galway	4	3	3
Kerry	5	4	3
Kildare	6	7	8
Kilkenny	3	3	4
Laois	3	5	6
Limerick	2	3	2
Longford	4	5	5
Louth	0	0	0
Mayo	3	5	6
Meath	3	4	4
Monaghan	4	4	7
Offaly	3	6	6
Sligo	5	5	4
Tipperary	7	7	11
Waterford	3	3	4
Westmeath	4	6	6
Wexford	9	3	6
Wicklow	8	5	6

Demand for the Board Services

The Deputy should note that in recent years the Board has experienced a substantial increase in demand for its services (other than for asylum matters). In 2007 approximately 10,200 applications for legal services were made. This figure increased to 17,200 in 2010, an increase of approximately 69%. This is at a time when the Board's resources are being constrained and the impact of the public service recruitment embargo is being experienced. The numbers of persons waiting for a first appointment with a solicitor were as follows on the dates referred to above:

Date	1 January 2010	1 January 2011	1 May 2011
Number	2,228	3,153	3,399

Actions

The Board is very aware of the delays that a number of persons seeking its services are experiencing. The geographically dispersed nature of the legal aid service means that the scope for redeployment of staff resources is extremely limited, outside of the Dublin area and, to a lesser extent, in Cork and Galway. As a result, notwithstanding the efforts being made to reconfigure how the Board provides services and to deploy resources wherever possible to

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meet priority demands, there are a number of locations where there are acute service delivery problems. The Board has taken and is taking steps to improve its efficiency and effectiveness and to minimise the impact of the delays on the persons experiencing them. These steps include: Increasing substantially the use of private solicitors for the purpose of providing services in relation to certain family law matters; Providing a short half hour appointment with a solicitor for applicants who are likely to be waiting longer than four months for a substantive service; Developing and standardising many of its processes; and developing a new case management system for the purpose, inter alia, of enabling work to be done more efficiently.

Criminal Legal Aid

I wish to inform the Deputy that the Criminal Justice (Legal Aid) Act 1962 provides that free legal aid may be granted, in certain circumstances, for the defence of persons of insufficient means in criminal proceedings. Legal aid is granted in all Courts including the District, Circuit and higher Courts. Under the Act, the grant of legal aid entitles the applicant to the services of a solicitor and, in certain circumstances, up to two counsel, in the preparation and conduct of their defence or appeal. The assignment of lawyers or the granting of aid are matters for the Court and, as such, are handled by the judiciary. The Court must be satisfied that, by reason of the “gravity of the charge” or “exceptional circumstances”, it is essential in the interests of justice that the applicant should have legal aid and the applicant for criminal legal aid must establish to the satisfaction of the Court that his/her means are insufficient to enable him/her to pay for legal representation him/herself. If the Court is so satisfied it will award criminal legal aid.

There are no appointments or waiting lists associated with this procedure.

Garda Stations

270. **Deputy Maureen O’Sullivan** asked the Minister for Justice and Equality if he will indicate which budget will provide funding for the refurbishment of Fitzgibbon Street Garda Station, Dublin 1. [12483/11]

Minister for Justice and Equality (Deputy Alan Shatter): Funding for Garda capital building works, including the project referred to by the Deputy, is provided from the Vote of the Office of Public Works.

Crime Levels

271. **Deputy Maureen O’Sullivan** asked the Minister for Justice and Equality further to Parliamentary Question No. 290 of 10 May 2011, the number of clients arrested and or convicted for soliciting under the Criminal Law (Sexual Offences Act) 1983; the number of pimps and prostitutes arrested, charged or convicted under the above Act; and if he will indicate the location of the arrests and charges. [12485/11]

Minister for Justice and Equality (Deputy Alan Shatter): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and

responding to queries regarding recorded crime statistics. I have requested the CSO to provide statistics directly to the Deputy.

Citizenship Applications

272. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the efforts he is making to work with his counterparts in the Assembly and in Westminster to ensure that those seeking to obtain Irish citizenship who reside in the northern Six Counties are able to do so, thus ensuring that all those who live within the island of Ireland have equality of access to Irish citizenship. [12496/11]

Minister for Justice and Equality (Deputy Alan Shatter): Any person living on the island of Ireland, one of whose parents or grandparents was an Irish citizen is entitled to Irish citizenship by descent and may make an application for a passport directly to the passport office. Similarly, any person born on the island of Ireland prior to 1st January 2005 has an entitlement to Irish citizenship and may also make an application for a passport directly to the passport office.

Post 1st January 2005, the entitlement to Irish citizenship of persons born on the island of Ireland to non-national parents is governed by sections 6A and 6B of the Irish Nationality & Citizenship Act, 1956 as amended. The Act states that a person born in the island of Ireland shall not be entitled to be an Irish citizen unless a parent of that person has, during the period of 4 years immediately preceding the person's birth, been resident in the island of Ireland for a period of not less than 3 years or periods the aggregate of which is not less than 3 years.

Irish citizenship may also be pursued through naturalisation, the granting of which is a privilege and an honour, not an entitlement. Residence for the purposes of satisfying the statutory conditions for naturalisation under section 15(1) of the 1956 Act as amended require residence to be in the State. There are no plans at present to extend the residence conditions as set out in section 15(1).

Registration of Title

273. **Deputy Paul J. Connaughton** asked the Minister for Justice and Equality the reason a Land Registry application (details supplied) has not completed after nine years in the system; when it will be finalised; and if he will make a statement on the matter. [12508/11]

Minister for Justice and Equality (Deputy Alan Shatter): I can inform the Deputy that under the Registration of Deeds and Title Act 2006, the Property Registration Authority (PRA) was established as and from 4 November 2006. The PRA replaces the Registrar of Deeds and Titles as the registering authority in relation to property registration in Ireland and, subject to the above Act, is independent in the performance of its functions.

The Deputy will be aware of the service to TDs and Senators which provides information on the current status of applications, such as the subject of this question, which was introduced in May 2006. The service provides a speedier, more efficient and more cost effective alternative to submitting Parliamentary Questions. It is operated by the PRA and is available all year round.

I can further inform the Deputy that his query has been forwarded to the PRA for attention and direct reply via the above mentioned service.

Crime Levels

274. **Deputy Charles Flanagan** asked the Minister for Justice and Equality the number of

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court convictions recorded each year for the past five years in respect of defective or unsafe public vehicles including taxis; and if he will make a statement on the matter. [12541/11]

Minister for Justice and Equality (Deputy Alan Shatter): Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics. I have requested the CSO to provide statistics directly to the Deputy.

Garda Operations

275. **Deputy Brian Stanley** asked the Minister for Justice and Equality if his attention has been drawn to the practice of gardaí videoing and photographing persons attending Sinn Féin commemorations; the cost and purpose of these exercises; and if he will make a statement on the matter. [12652/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will appreciate that it would not be appropriate for me to comment on security matters. Having said that I am not necessarily giving any credence to the suggestion in the Deputy's question. I should mention that if any person wishes to make a complaint about the actions of a member of An Garda Síochána they should contact the Garda Síochána Ombudsman Commission, which is an independent statutory office established to investigate complaints against the Garda.

Prison Staff

276. **Deputy Robert Troy** asked the Minister for Justice and Equality his plans to recruit additional prison officers; and if he will make a statement on the matter. [12653/11]

Minister for Justice and Equality (Deputy Alan Shatter): As the moratorium on public sector recruitment applies to the Irish Prison Service, I can advise the Deputy that there are no immediate plans to recruit additional prison officers.

Garda National Immigration Bureau

277. **Deputy Denis Naughten** asked the Minister for Justice and Equality the number of international students registered with the Garda National Immigration Bureau and Irish Naturalisation and Immigration Service in tabular form; the percentage of these students that attend English language colleges, further education colleges and higher education colleges; and if he will make a statement on the matter. [12691/11]

Minister for Justice and Equality (Deputy Alan Shatter): International students studying in the State comprise both EEA and non-EEA nationals. Non-EEA nationals whose course of study exceeds 3 months are required to register with the Garda National Immigration Bureau. The number of non-EEA students currently registered with the Garda National Immigration Bureau is approximately 33,000. As some institutions may offer courses of more than one type, precise classification of the category of college attended is difficult. However, it is estimated that about 28% of registered non-EEA students attend English Language colleges, 30% Further Education, 38% Higher Education, and 4% other. Regarding EEA nationals, it is not

possible to estimate the number of such students since, by virtue of their status within the EU, EEA nationals are not required to register with the Garda National Immigration Bureau. However, the indications from educational establishments would suggest that the numbers involved are significantly more than non-EEA nationals studying here.

Citizenship Applications

278. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the procedures to be followed on an application for naturalisation in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [12696/11]

Minister for Justice and Equality (Deputy Alan Shatter): Officials in the Citizenship section of my Department inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question. The Irish Nationality and Citizenship Act, 1956, as amended, provides that the Minister may, in his absolute discretion, grant an application for a certificate of naturalisation provided certain statutory conditions are fulfilled. The conditions are that the applicant must be of full age; be of good character; have had a period of one year's continuous residency in the State immediately before the date of application and, during the eight years immediately preceding that period, have had a total residence in the State amounting to four years; have made, either before a Judge of the District Court in open court or in such a manner as the Minister for special reasons allows, a declaration in the prescribed manner, of fidelity to the nation and loyalty to the State.

In the context of naturalisation, certain periods of residence in the State are excluded. These include — periods of residence in respect of which an applicant does not have permission to remain in the State; periods granted for the purposes of study; periods granted for the purposes of seeking recognition as a refugee within the meaning of the Refugee Act, 1996.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended. 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 Remuneration

279. **Deputy Seán Kenny** asked the Minister for Justice and Equality if he will provide details on the range of allowances paid to members of the Garda Síochána; and the amount paid to members of the Garda Síochána in 2007, 2008, 2009, 2010 and to date in 2011. [12706/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda Commissioner that details on the range of allowances paid to members of An Garda Síochána are as set out in the following table:—

Allowance	Yearly rate effective from 1 January 2010	Weekly rate effective from 1 January 2010
	€	€
Rent allowance	4,017.55	
Boot allowance		2.93
Uniform allowance G/S		4.39
Uniform Officers	888.82	

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Allowance	Yearly rate effective from 1 January 2010	Weekly rate effective from 1 January 2010
	€	€
Uniform initial grant	285.70 (Once Off)	
Uniform varied allowance	704.70	
Detective allowance		30.90
Juvenile liaison officer		30.90
Clerical allowance	4,781.35	
Clerical temp/ex-gratia	4,781.35	
Plain clothes — Garda/Sgt		12.21
Plain clothes — Inspector	13.92	
Plain clothes Supt & C/Supt		15.45
Ministers pool	40% of Salary	40% of Salary
PSV allowance	4,869.70	
Dog handler		53.40
Transport allowance	507.30	
Bicycle allowance		2.77
Private secretary	10,405.35	
Aran island	1,463.00	
Gaeltacht allowance	7.5% of Salary	
Substitution allowance	Variable	
Locomotion under 1200cc	3,378.57	
Locomotion 1201-1500 cc	3,975.35	
Locomotion 1501 cc and over	5,067.22	
Supplementary detective	Variable	
Overseas allowance class 1		19.02 Daily
Overseas allowance class 2		23.79 Daily
Overseas allowance class 3		30.78 Daily
Welfare officer allowance	7,403.35	
Instructor allowance (G)	7,794.75	
Instructor allowance (S)	7,794.75	
Instructor allowance (I)	8,506.30	
Instructor allowance Supt.	10,627.65	
Instructor temporary (G)	7,794.75	
Instructor temporary (S)	7,794.75	
Locomotion under 1200 cc	3,812.73	
Locomotion 1201-1500 cc	4,476.37	
Locomotion 1501 cc and over	5,680.24	
Community relations/Crime prevention		30.90
Water unit allowance	4,873.50	
Immigration allowance		25.18
Part time immigration allowance	1,313.19	
Analyst allowance — Garda	7,794.75	
Analyst allowance — Sergeant	7,794.75	
Analyst allowance — Inspector	8,506.30	
Change management	6,239.60	
Overseas allowance/Chief Supt		75.96 Daily
Radio allowance	5,070.15	

Allowance	Yearly rate effective from 1 January 2010	Weekly rate effective from 1 January 2010
	€	€
Air support unit allowance	4,873.50	
Instructor allowance C/Supt.	10,627.65	
Living allowance (recruits)		67.85
Court presenter	5,070.15	
Expert allowance	5,207.90	
Availability allowance — C/Supt	10,121.30	
Collator allowance		25.18
Availability allowance Supt	8,049.35	
Exchange allowance taxable	Variable	
Overseas allowance supers		75.96 Daily
Overseas allowance inspectors		67.88 Daily
Overseas allowance sergeant		62.63 Daily
Overseas allowance garda		57.44 Daily
Eu police mission		100 Daily
Cost of living allowance (accompanied)	Variable	
Cost of living allowance (unaccompanied)	Variable	
Local post all. (accompanied)	Variable	
Local post all.(unaccompanied)	Variable	
Overseas rent allowance	Variable	
Exchange allowance non taxable	Variable	
Scenes of crime allowance	2,946.90	
Inspector. Acting up allowance	Variable	
Exchange allowance — Garda (taxable)	8,721.95	
Exchange allowance — Garda (non-taxable)	4,500.00	
Safety Adviser allowance	7,403.35	
Interpol allowance	2,785.40	
Motor technician allowance	4,885.85	
Rostered Saturday		14.27
Non rostered Saturday allowance		14.27
Sunday allowance	Variable	
Night duty rostered	Variable	
Night duty non rostered	Variable	
Overtime	Variable	
Non public duty overtime	Variable	
Public holiday allowance	Variable	
Night duty 6-8 rostered	Variable	
Night duty 6-8 non rostered	Variable	
Exchange allowance — Sgt (taxable)	8,805.55	
Exchange allowance — Sgt (non-taxable)	5,500.00	
Cost at post allowance — Lyon	14,353.00	
Child allowance — Lyon	3,487 per child	
Cost of living allowance — The Hague (Sgt)	4,904.00	
Cost of living allowance — the Hague (Sgt)	4,828.00	
Local post allowance — The Hague (Sgt)	3,590.00	
Local post allowance — The Hague (Sgt)	3,863.00	

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Details of the amounts paid in each year from 2007 onwards and so far in 2011 are as shown in the following below.

Year	Allowances
2011 (January-April)	73,083,161
2010	214,629,140
2009	225,356,326
2008	215,392,947
2007	199,524,578

Departmental Contracts

280. **Deputy Seán Kenny** asked the Minister for Justice and Equality the cost of providing uniforms for members of the Garda Síochána in 2009 and 2010; if he will give details of such uniforms purchased and supplied in 2009 and 2010; and if he will provide the list of supplies of such uniforms respectively. [12707/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda authorities that a contract for the provision of Garda uniforms was awarded in 2008 following a competitive procurement process. The contract was awarded to James Boylan Safety Ltd, Co. Monaghan.

I have also been advised by the Garda authorities that, for commercial competition reasons, it would not be appropriate to provide details of the cost of an individual uniform under the contract. However, overall expenditure on Garda uniforms in 2009 was approximately €9,682,500 while the equivalent figure for 2010 was approximately €595,000.

Garda Equipment

281. **Deputy Seán Kenny** asked the Minister for Justice and Equality if all gardaí currently have the CS incapacity spray; if not, the percentage of the force that have the incapacity spray; and the cost of providing the spray to date. [12708/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda Commissioner that An Garda Síochána does not supply CS incapacitant spray to members. However, following an EU public procurement process in 2009, O/C incapacitant spray, commonly referred to as pepper spray, is supplied to operational members. To date approximately 90% of the service has been supplied with this spray following training.

The cost attributable to the supply of O/C incapacitant spray to date is set out in the following table:—

Year	Cost
	€
2009	337,223
2010	15,488
Total	352,711

Garda Communications

282. **Deputy Seán Kenny** asked the Minister for Justice and Equality the cost to the Garda Síochána of using interpreters for the years 2007, 2008, 2009, 2010 and to date in 2011; and the top five languages that were used for interpreters in each of these years. [12709/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have been informed by the Garda authorities that the following costs were incurred by An Garda Síochána in using interpreters for the years 2007 to end April 2011:

Year	Expenditure
	€
2007	2,987,444
2008	3,402,734
2009	2,709,734
2010	2,358,445
January-April 2011	559,708

I am further informed that the relevant records are not maintained in a form which would permit the Garda authorities to provide details regarding the main languages where interpreters were used.

Garda Vetting of Personnel

283. **Deputy Brian Stanley** asked the Minister for Justice and Equality if his attention has been drawn to the difficulties being experienced by an organisation (details supplied) as a result of delays in obtaining Garda vetting information for prospective employees; if his further attention has been drawn to the fact that these applications have been made under the auspices of FÁS, a registered organisation with the Garda Vetting Unit; the reason for the delays; the date on which they will receive the necessary vetting information; and if he will make a statement on the matter. [12753/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda Authorities that Garda vetting services are provided to prospective employees at the organisation to which the Deputy refers under the auspices of FÁS, which is a registered organisation with the Vetting Unit for the purposes of employment vetting and acts as a single point of contact for many other organisations around the country.

The length of time currently being taken to process vetting applications is a matter of concern. 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.

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. 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 average processing time for vetting applications fluctuates in line with periods of increased demand. In processing an individual vetting application, additional time may be

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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.

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.

Proposed Legislation

284. **Deputy Anne Ferris** asked the Minister for Justice and Equality his plans to introduce legislation to regulate the proliferation of gold shops; and if he will make a statement on the matter. [12776/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that there has been a significant increase in the number of outlets offering to buy gold for cash in towns and cities in the State. I am aware that the trade gives rise to concerns reported in communities about crime that may be linked to the cash for gold trade.

My Department is currently finalising a report on the Cash for Gold trade and, in this context, has been in close contact with the Commissioner of An Garda Síochána with a view to monitoring the position.

I can inform the Deputy that the Commissioner has recently reported that all Cash for Gold premises in the State have been visited by An Garda Síochána and the operators have been made aware of their responsibilities and obligations with regard to purchasing gold and jewellery. In addition, contact information provided to operators will facilitate the reporting to An Garda Síochána of any suspicious activity. The Commissioner has also indicated that any new premises that may be identified will be visited by An Garda Síochána.

Let me assure the Deputy that as soon as the report I have referred to is finalised and submitted to me, I will make an assessment as to what, if any, further action, legislative or otherwise, may be required.

Garda Communications

285. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality if his attention has been drawn to any changes to the levels of phone calls to the gardaí from persons in an area (details supplied) over the past 12 months; the way the number of response calls by gardaí to the area changed over the past 12 months; and if he will make a statement on the matter. [12818/11]

Minister for Justice and Equality (Deputy Alan Shatter): I have asked the Garda authorities to supply me with relevant information in relation to the matters raised by the Deputy and I will revert to him as soon as it has been provided.

Recidivism Rate

286. **Deputy Andrew Doyle** asked the Minister for Justice and Equality the action he has taken to review the success of small scale prisons on lowering recidivism rates; if he intends to promote small scale prisons in present and future Government capital investment for the management of offenders; and if he will make a statement on the matter. [12842/11]

Minister for Justice and Equality (Deputy Alan Shatter): In line with the commitment in the Government Programme for National Recovery, I recently announced the establishment of a committee to review the Thornton Hall Prison Project. The committee's terms of reference are available on my Department's website at *www.justice.ie*.

Their terms of reference are wide ranging with the committee being asked to examine the need for new prison accommodation and to advise by 1 July 2011 whether the development of new prison accommodation at Thornton Hall should proceed taking into account, inter alia,

- current and future prisoner numbers of both men and women;
- the need for an adequate stock of prison accommodation that meet required standards including in particular, in cell sanitation, adequate rehabilitation, educational and work training facilities for prisoners as well as facilitating contact with family members and other standards identified by the Inspector of Prisons and relevant international bodies;
- the potential of alternatives to custody including legislative measures already proposed (Fines Act 2010, Criminal Justice (Community Service) (Amendment) (No.2) Bill 2011) to reduce the prisoner population;
- the relevance of Thornton to the existing prison structure and, in particular, to the Dóchas Centre; and
- the economic constraints facing the State.

I do not wish to pre-empt the recommendations of the Committee at this point in time.

In relation to recidivism, I am informed that the Irish Prison Service facilitated a major study of prisoner re-offending by the UCD Institute of Criminology, the findings of which were published in the May 2008 edition of the academic journal, *Criminology and Criminal Justice*. The recidivism rate was found by this study to be under 50% after 4 years. This rate is in the mid to lower range of recidivism rates when compared to similar countries internationally. The study did not, however, explore the impact of time spent in open centres on recidivism rates.

Prison Accommodation

287. **Deputy Andrew Doyle** asked the Minister for Justice and Equality the number of beds closed in all prisons due to staffing restrictions in 2007, 2008, 2009 and 2010; the number of beds that have been closed in open prisons during these years; and if he will make a statement on the matter. [12843/11]

Minister for Justice and Equality (Deputy Alan Shatter): I wish to inform the Deputy that no beds closed due to staffing restrictions in 2007, 2008, 2009 and 2010. In fact, the number of beds actually increased by 1019 over that period of time. This includes an increase of 100 beds in the open centres of Shelton Abbey and Loughan House.

[Deputy Alan Shatter.]

Prison cells can however be temporarily closed or reassigned for a variety of reasons such as facilitating routine building works, maintenance and the expansion of prison services or accommodation.

The Deputy may wish to be aware that there are a number of projects currently underway, most notably the construction of a new accommodation block at the Midlands prison. This will provide a potential 300 spaces, a new kitchen and work training/education block, and an extension to the visits/reception areas. It is planned to have the new block fully commissioned by mid 2012.

In addition, a contract was awarded in late 2010 for the provision of 70 dormitory style spaces for female prisoners at the Dóchas Centre within the Mountjoy Campus which is due to be completed by end August 2011. The Irish Prison Service is also currently engaged in a project to upgrade and re-commission 36 cells with in-cell sanitation coming on stream by mid 2011 in the basement of the “C” Wing at Mountjoy Prison.

Prison Committals

288. **Deputy Andrew Doyle** asked the Minister for Justice and Equality the number of persons imprisoned for non-payment of television fines, dog licence fines or parking fines in 2007, 2008, 2009 and 2010; the average custodial sentence for each category; and if he will make a statement on the matter. [12848/11]

Minister for Justice and Equality (Deputy Alan Shatter): The information requested by the Deputy is set out in the following table. These figures relate solely to persons committed for non payment of television fines, dog licence fines or parking fines for the years 2007 to 2010.

Year	Dog Licence Fine	Parking Fine	No TV Licence Fine
2007	6	36	21
2008	7	90	48
2009	7	216	75
2010	8	382	152

The average custodial sentence length for each category is set out in the following table.

Year	Dog Licence Fine	Parking Fine	No TV Licence Fine
2007	35 days	33 days	15 days
2008	16 days	12 days	7 days
2009	11 days	10 days	11 days
2010	12 days	10 days	10 days

I can also advise the Deputy that the number of such persons actually held in custody at any one time is a minute fraction of the overall prisoner population. To illustrate this point, on 23rd May 2011 no prisoners in custody fell into these categories.

As the Deputy may be aware, the Fines Act 2010 introduces a number of measures to prevent the automatic imprisonment of fine defaulters. In particular, it has provisions dealing with capacity to pay, payment by instalments, recovery by appointment of a receiver and community service in default of payment of a fine. I intend to introduce further measures which will allow recovery by means of attachment of earnings orders.

Overseas Missions

289. **Deputy Seán Ó Fearghaíl** asked the Minister for Defence his plans to visit members of the Defence Forces serving on overseas missions in the remainder of 2011; and if he will make a statement on the matter. [12341/11]

Minister for Defence (Deputy Alan Shatter): Since taking up my appointment as Minister for Defence, I have not yet had an opportunity to visit Irish troops serving on overseas missions. However, as the House will be aware, an Irish battalion is due to be deployed to Southern Lebanon by the end of June 2011, for service with the United Nations Interim Force in Lebanon (UNIFIL). I hope to visit the Irish personnel in UNIFIL later this year, once the Irish battalion has settled in. I envisage that my visit will take place in the autumn. I look forward to witnessing at first hand the dedication and professionalism of our military personnel and the tremendous work done in those parts of the world in which the Defence Forces serve.

Garda Representative Bodies

290. **Deputy Seán Ó Fearghaíl** asked the Minister for Defence if he has put systems in place to facilitate regular engagement with PDFORRA and RACO; and if he will make a statement on the matter. [12342/11]

Minister for Defence (Deputy Alan Shatter): A Scheme of Conciliation and Arbitration (C & A) for members of the Permanent Defence Force was established in 1993 and provides a formal mechanism for both the Representative Association of Commissioned Officers and the Permanent Defence Force Other Ranks Representative Association to engage with the Official side on matters which come within the scope of the Scheme. Under the Scheme, Conciliation Council meetings are held with each Association on alternate months. In addition, a number of sub-committees have also been established and meet on a regular basis.

Capital Projects

291. **Deputy Seán Ó Fearghaíl** asked the Minister for Defence the nature of any capital projects which he intends to undertake or complete at the Curragh Camp, County Kildare, during the remainder of 2011; the value of such projects; and if he will make a statement on the matter. [12343/11]

Minister for Defence (Deputy Alan Shatter): The Department is engaged in an ongoing capital building programme designed to modernise and enhance the living, training, operational and accommodation facilities available to members of the Defence Forces. The programme focuses mainly on infrastructural projects comprising the construction of new buildings and the refurbishment of existing buildings. Under this programme there has been considerable capital investment in DFTC (Curragh Camp) over the last number of years.

Two major projects, at an approximate cost of €2m, are due to be completed at the DFTC in 2011. These are roof repairs to the Ammunition Depot and the refurbishment of the Catering Centre, McDonagh Barracks. Routine minor maintenance works are also carried out in the DFTC as required.

Ministerial Transport

292. **Deputy Maureen O'Sullivan** asked the Minister for Defence his plans in view of the current economic climate for the Government jet and the workers directly employed in relation to the jet. [12481/11]

Minister for Defence (Deputy Alan Shatter): The Ministerial Air Transport Service is primarily provided by the Gulfstream IV and Learjet 45 aircraft, which were specifically acquired for that purpose. The Learjet 45 has the capacity to carry 7 passengers and is tasked with short and medium haul missions to the UK and Europe. The Gulfstream IV, has the capacity to carry 14 passengers and can be tasked with long haul missions to destinations such as the United States, Africa and the Middle East, as well as to European destinations.

The Gulfstream IV aircraft is in service for 20 years and has accumulated over 12,000 flying hours to date. If any costly non-routine maintenance or major structural repair is required to be carried out, the aircraft will be grounded and a decision will be made on the future of the jet. Meantime, the aircraft will remain in service.

The Air Corps personnel who are assigned to the Ministerial Air Transport Service are also engaged in administrative ground appointments and are required to function in a staff capacity as members of the Defence Forces.

Defence Forces Remuneration

293. **Deputy Joan Collins** asked the Minister for Defence when will the instructors allowance in arrears for the instructors of the Transport Companies 1 Logistics Support Battalions in the Defence Forces be paid. [12352/11]

Minister for Defence (Deputy Alan Shatter): A claim for Instructor Allowance to be paid to six personnel serving in instructor appointments, Transport Coy 1 LSB, was received from the Permanent Defence Force Other Ranks Representative Association under the Conciliation and Arbitration Scheme (C & A scheme) for members of the Permanent Defence Force. The claim has been the subject of correspondence between the Department and the Representative Association. The Deputy will appreciate that as discussions under the C & A scheme are confidential to the parties involved, it would not be appropriate for me to comment further on the matter at this time.

Explosive Devices

294. **Deputy Dara Calleary** asked the Minister for Defence the number of viable explosive devices found here in 2011; his strategy to deal with this issue; and if he will make a statement on the matter. [12460/11]

Minister for Defence (Deputy Alan Shatter): The total number of viable explosive devices found to date in 2011 is 22.

In spite of a substantial increase in recent years in the number of call outs to deal with Improvised Explosive Devices (IEDs), 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 abroad and through continuing liaison with international agencies. The effectiveness of the Defence Forces in this very important function has undoubtedly saved many lives.

Defence Forces Strength

295. **Deputy Seán Kenny** asked the Minister for Defence the number of doctors, nurses, dentists and so on in the Defence Forces Medical Corps; the number of vacancies in the corps; and if additional recruitment is likely in the corps. [12701/11]

Minister for Defence (Deputy Alan Shatter): The PA Consulting Review of the Defence Forces Medical Services was completed in 2009, with implementation of the Review's recommendations progressing. In the context of the commitment in the Programme for Government to implement the Review's recommendation I expect that substantial progress will be made in this regard over the coming months. An important part of the implementation has been the establishment of a new structure for the Medical Corps. Within the new structure there is provision for 32 Doctors along with 8 Dentists and 12 Nurses. Currently there are 17 Doctors (including a psychiatrist), 5 Dentists and 14 Nurses serving in the Defence Forces Medical Corps.

The Government Decision on the implementation of savings measures on public service numbers is being applied to the Defence Forces in general. However, given the current shortage of Doctors approval was received from the Department of Finance for an exemption from the moratorium on recruitment in order to hold a competition for the appointment of Doctors to the Defence Forces Medical Corps. This competition has commenced.

296. **Deputy Seán Kenny** asked the Minister for Defence the number of military personal by rank in each military barracks in the Eastern Brigade. [12702/11]

Minister for Defence (Deputy Alan Shatter): The current strength of 2 Eastern Brigade is 2185 personnel. Table 1 below gives a breakdown of the ranks of the 2,185 personnel. Table 2 sets out the number of personnel serving in each of 2 Eastern Brigade's military barracks. For security and operational reasons it is not possible to provide a breakdown of the ranks serving in individual military barracks.

TABLE 1

Breakdown of Ranks in 2 Eastern Brigade

Brig Gen	Col	Lt Col	Comdt	Capt	Lt	RSM	BQMS	CS	CQMS	Sgt	Cpl	Pte	Recruit
1	1	13	39	50	89	6	7	27	60	267	360	1,148	117

TABLE 2

Barrack Strengths

Cathal Brugha	McKee Bks	Aiken Bks	Gormanston Camp	Kilbride Camp	St Bricins Hospital
683	820	417	197	7	61

Defence Forces Recruitment

297. **Deputy Jim Daly** asked the Minister for Defence if there is any possibility of retired Reserve Defence Force members being permitted to take up a scheme to fulfil duties of cadre staff that have not been replaced; and if he will make a statement on the matter. [12822/11]

Minister for Defence (Deputy Alan Shatter): Entry to the Permanent Defence Force is either through the Cadetship Competition, Apprenticeship Competition, General Service Enlistment or Direct Entry Competitions which are held to fill vacancies in specialist appointments. There are no provisions to permit the enlistment or appointment of retired members of the Reserve Defence Force to fill vacancies in the Cadre Staff or the Permanent Defence Force.

Defence Forces Property

298. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which military installations decommissioned by the State have been disposed of; the extent of funding accruing to the State therefrom; and if he will make a statement on the matter. [12243/11]

299. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of military installations decommissioned in 1998; the number and method of their disposal in the interim; the cost of maintenance, security or other costs borne by the State prior to disposal; and if he will make a statement on the matter. [12244/11]

300. **Deputy Bernard J. Durkan** asked the Minister for Defence if any military installations or property proposed for sale by the Government in 1998 which has not since been disposed of; the current use, if any of same; and if he will make a statement on the matter. [12245/11]

Minister for Defence (Deputy Alan Shatter): I propose to take Questions Nos. 298 to 300, inclusive, together.

I would refer the Deputy to the reply to Question No. 109 answered on 4 October 2007 which dealt comprehensively with the barracks closed in 1998. By way of update the position with the former Magee Barracks is that following the cancellation of the Affordable Housing Initiative, Kildare County Council have advised the Department that they have no further interest in acquiring the property. The property will now be disposed of by the Department taking account of the market conditions so as to maximise the return to the Defence Forces.

In the Budget of October 2008 the closure of Longford and Monaghan Barracks, Rockhill House (Letterkenny), Lifford Military Post and St. Bricins Hospital Dublin was announced.

The sale of Monaghan to the local VEC for €3.1m was completed on 24 August last while the sale of part of Longford to the VEC for €0.95m was completed on 16 July last.

The position with Lifford and Rockhill is that discussions are at an advanced stage with Donegal County Council on the basis of them acquiring both premises over a 3-4 year period. Longford County Council has expressed some interest in acquiring Connolly Barracks and discussions with the Council are at a preliminary stage in this regard. In the event of these discussions not reaching a satisfactory outcome Longford Barracks will be disposed of taking account of the market conditions so as to maximise the return to the Defence Forces.

As the closure of St Bricin's Hospital was linked to the decentralisation programme it has been delayed somewhat.

Because of incidents of anti social behaviour and vandalism at a number of locations the Department incurred costs of approximately €220,000 in 2010 on the provision of additional security measures.

Defence Forces Recruitment

301. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of posts within the Defence Forces which were filled in each of the past two years to date in 2011; the number still outstanding; and if he will make a statement on the matter. [12246/11]

Minister for Defence (Deputy Alan Shatter): The number of personnel enlisted and appointed to the Permanent Defence Force in the past two years and to date in 2011 is as follows:

	General Service Enlistment	Cadets	Direct Entry Appointments (Doctors)	Total
2009	0	42	5	47
2010	115	30	0	145
2011 to date	265	0	0	265

I am advised by the Military Authorities that the strength of the Permanent Defence Force as of 30 April, 2011 was 9,658 comprising 7,864 Army, 790 Air Corps and 1,004 Naval Service as against the agreed Employment Control Framework for the Permanent Defence Force of 10,000 all ranks. With the support of the Chief of Staff, and within the available resources, I intend to retain the capacity of the Defence organisation to operate effectively across all roles, while contributing to the necessary public service economies. I am advised that at this time the Defence Forces retain the capacity to undertake the tasks laid down by Government both at home and overseas.

Defence Forces Equipment

302. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which aircraft and ancillary equipment for the Air Corps maintains pace with international standards; if any particular improvements are required; and if he will make a statement on the matter. [12247/11]

Minister for Defence (Deputy Alan Shatter): I am satisfied that the equipment and aircraft available to the Air Corps are of a high standard and maintained in accordance with best practice. The main expenditure in the Air Corps in 2011 relates to the maintenance and Power by the Hours contracts set up to keep the fleet operational.

On the issue of Air Corps training and technology, I am satisfied that Air Corps training techniques and the technologies involved are up to date in all respects. The Air Corps training plan is structured to provide the capabilities needed to execute the roles assigned to the Air Corps by Government.

Naval Service Vessels

303. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which he has evaluated ongoing requirements in respect of vessels and equipment for the Naval Service; the degree to which this keeps pace with international developments; and if he will make a statement on the matter. [12248/11]

Minister for Defence (Deputy Alan Shatter): Following a two-stage tender competition a contract was awarded in October 2010 to Babcock Marine in the UK for the provision of two new Offshore Patrol Vessels (OPVs) for the Naval Service. Preparations for the construction of these new vessels have commenced and the first new vessel is scheduled for delivery in early 2014. The second vessel will follow one year later. The acquisition of these modern new vessels, combined with a continuous process of refurbishment and repair, will ensure that the operational capability of the Naval Service is maintained at a satisfactory level and that the most up to date equipment is available to Naval Service personnel.

On the issue of Naval Service training and technology, I am satisfied that Naval Services training techniques and the technologies involved are up to date in all respects. The Naval Service training plan is structured to provide the capabilities needed to execute the roles assigned to the Naval Service by Government.

Air Corps Strength

304. **Deputy Bernard J. Durkan** asked the Minister for Defence the degree to which the Air Corps has the necessary resources to maintain its commitments in respect of air sea rescue and surveillance; and if he will make a statement on the matter. [12249/11]

Minister for Defence (Deputy Alan Shatter): The Irish Coast Guard has overall responsibility for the provision of maritime Search and Rescue, (SAR), services within the Irish Search and Rescue region. In accordance with the roles assigned to them by Government in the White Paper on Defence, the Air Corps is committed to providing support to the civil authorities including in relation to Search and Rescue. In this regard, the Air Corps provide support to the Coast Guard as the need arises and within their available capability.

The Air Corps has a Service Level Agreement with the Irish Coast Guard which sets out the SAR assistance that the Air Corps can provide to the Coast Guard. The provision of assistance during mountain rescue operations and fixed wing top cover by the Air Corps Casa aircraft to Coast Guard helicopters are included in this agreement.

The two Casa aircraft also have an important surveillance capability which offer aerial assistance to the Naval Service in patrolling the Exclusive Economic Zone. These aircraft both underwent mid-life upgrades which were completed in 2008 at a cost of €16.5m. The upgrades included the fitting of state of the art surveillance and communication equipment. The Air Corps has also on occasion carried members of the Customs National Drugs Team in an observational capacity for the purposes of monitoring vessels suspected of smuggling drugs.

I am satisfied that the Air Corps has the necessary resources to meet all its operational requirements including the provision of SAR and surveillance assistance.

Naval Service Vessels

305. **Deputy Bernard J. Durkan** asked the Minister for Defence if he is satisfied with the adequacy of vessels and equipment for the Naval Service to maintain its role in terms of patrols, surveillance and monitoring activity along our coasts; and if he will make a statement on the matter. [12250/11]

Minister for Defence (Deputy Alan Shatter): The Naval Service provides the maritime element of the Defence Forces and has a general responsibility to meet contingent and actual maritime defence requirements. The Naval Service operates eight general purpose patrol ships. All eight ships are involved in coastal and offshore patrolling and surveillance for the State in that part of the seas where State jurisdiction applies.

The primary day-to-day tasking of the Naval Service is to provide a fishery protection service in accordance with the State's obligations as a member of the European Union. However, as the need arises, Naval Service vessels are deployed to other duties such as aid to the civil power, search and rescue or recovery, and drug interdiction operations.

The current Exclusive Fishery Limits extend to 200 miles offshore and cover an area of 132,000 nautical square miles. The Naval Service currently patrols the entire 200 mile limit and periodically patrols beyond these limits to protect specific fisheries. These patrols are carried out on a regular and frequent basis and are directed to all areas of Irish waters as necessary. The number of Patrol Vessels on patrol in Irish waters at any one time varies between three and eight. The Naval Service is committed to having at least three vessels on patrol within the Irish Exclusive Economic Zone at any one time. All vessels are multi-tasked in the sense that they also undertake general surveillance, security and other duties while on patrol. A contract was placed last year for the provision of two new Offshore Patrol Vessels (OPVs) for the Naval Service, each of which will be almost 90 metres in length. The acquisition of these longer new vessels will ensure that the Service can continue to carry out its drug interdiction role in support of the Joint Task Force and other tasks in increasingly difficult and dangerous sea conditions in the Atlantic. Preparations for their construction have commenced at Appledore in the UK and the first vessel is scheduled for delivery in early 2014. The second new vessel will follow one year later.

I am satisfied that the acquisition of these modern new vessels, combined with a continuous process of refurbishment and repair, will ensure that the operational capability of the Naval Service is maintained at a satisfactory level and that the most up to date equipment is available to Naval Service personnel.

Overseas Missions

306. **Deputy Bernard J. Durkan** asked the Minister for Defence the extent to which he has had discussions with EU or UN colleagues in the context of further Irish troop deployment overseas; and if he will make a statement on the matter. [12251/11]

Minister for Defence (Deputy Alan Shatter): Ireland is currently contributing 129 Defence Forces personnel to 11 different missions throughout the world. 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.

On foot of a request from the United Nations, the House last month approved the despatch of a Defence Forces contingent of some 440 personnel for service with the United Nations Interim Force in Lebanon. The total number of personnel deployed overseas will amount to approximately 570 when the contingent is fully deployed in late June 2011. This represents a significant contribution to international peacekeeping operations and the obligations Ireland has assumed through its membership of the UN.

In addition, following a request from the Operation Commander for EUFOR Libya, the Government this week approved the despatch of 2 members of the Defence Forces to serve in the Operational headquarters for the mission which is based in Rome. The staff will be engaged in the development of plans and options in relation to a possible EU mission to support the delivery of humanitarian assistance in the region. This operation will be distinct and separate

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from the current NATO-led operation. A further Council decision would be required to launch the operation, which will only be undertaken should the United Nations Office for the Coordination of Humanitarian Affairs request assistance from the EU.

Apart from the above requests, no other deployments are planned or envisaged at this time.

Ireland's contribution to overseas operations is important, primarily in terms of Ireland's contribution to international peace and security and the protection of people caught in conflict, but also in terms of Ireland's international reputation and credibility, its commitment to the UN and the development and maintenance of Defence Forces capabilities. I am committed to ensuring that the Defence Forces continue to contribute in a meaningful way to overseas operations, at an appropriate level which is sustainable within the resources available for Defence.

In terms of discussions at EU and the UN, since I have taken up office, I have not, as yet, had an opportunity to meet with my EU colleagues to discuss issues relating to the EU's Common Security and Development Policy. However, officials in my Department and Military representatives regularly attend meetings that cover a wide range of issues in this area, including current operations, cooperation with other international organisations, including the United Nations and NATO in relation to peace support operations, and the development of EU military and civilian capabilities for crisis management operations. I am regularly updated in this regard.

Defence Forces Recruitment

307. **Deputy Bernard J. Durkan** asked the Minister for Defence the number of cadets passing out in the Army, Navy and Air Corps in each of the past three years to date in 2011; the extent to which this is in line with requirements; and if he will make a statement on the matter. [12252/11]

Minister for Defence (Deputy Alan Shatter): The number of cadets commissioned in the Army, Navy and Air Corps in each of the past three years to date in 2011 is as follows:

Year	Army	Naval Service	Air Corps	Total
2008	32	9	10	51
2009	32	6	7	45
2010	34	7	4	45
2011 to date	30	0	2	32

There are currently 43 Cadets in training — Army 22, Naval Service 18 and Air Corps 3.

I am advised that at this time the Defence Forces retain the capacity at all levels to undertake the tasks laid down by Government, both at home and overseas.

Question No. 308 answered with Question No. 58.

Agri-Environment Options Scheme

309. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason a person (details supplied) in County Galway will be seriously financially penalised if they are prevented from making an application for the agri-environment options scheme in view of the fact that their REP scheme 3 will be terminated on 4 June 2011; and if he will make a statement on the matter. [12290/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Section 8.7 of the Terms and Conditions of the 2011 Agri-Environment Options Scheme provides that persons participating in the Rural Environment Protection Scheme are not eligible to join the scheme.

The closing date for AEOS was Monday 16 May 2011 and as the person named will not complete their REPS3 contract until 31 May 2011, unfortunately they are not eligible to join the scheme in 2011.

Grant Payments

310. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Galway will receive their agri-environment options scheme payment; and if he will make a statement on the matter. [12292/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named has been approved into the AEOS scheme with a start date of 1 September 2010.

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. I expect that payments to participants in the scheme in respect of the first year will commence in August and that payments in respect of year two will commence in October. I am working with my officials to bring the payments forward if at all possible as I can understand the need for expediency.

Farm Retirement Scheme

311. **Deputy Michael Lowry** asked the Minister for Agriculture, Fisheries and Food the position regarding an application under the early retirement scheme 2007 in respect of a person (details supplied) in County Tipperary; the steps he is taking to resolve this issue; and if he will make a statement on the matter. [12321/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): My Department is not at present in a position to grant the continuation of a deceased participant's pension to his or her dependants. Since the first Scheme of Early Retirement from Farming was introduced in 1994, it had been my Department's practice to continue to do so. However, following audits of the Scheme by both the European Court of Auditors and the European Commission, the Commission informed my Department that this practice is not compatible with the current EU governing Regulations and must be discontinued.

The Commission has only recently formally communicated its decision to the Department. This decision is currently under consideration by my officials.

Grant Payments

312. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if a payment under the grassland sheep scheme will be made available to a person (details supplied) in County Kerry; and if he will make a statement on the matter. [12338/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): As processing of the application under the Grassland Sheep Scheme received from the person named on the 17 May 2010, has now been finalised, the payment due will issue shortly.

Irish Horseracing Industry

313. **Deputy Seán Ó Feargháil** asked the Minister for Agriculture, Fisheries and Food if, in

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the week in which international attention is drawn to the Irish National Stud by virtue of the visit of Queen Elizabeth II, he is supportive of the stud being retained in State ownership; if, accordingly, he will reject the proposals in the McCarthy report to dispose of this valuable State asset; and if he will make a statement on the matter. [12344/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I appreciate the importance of the role of the Irish National Stud Company Ltd. as the flagship of the thoroughbred industry. The recommendations of the Review Group on State Assets and Liabilities will be considered by the Government and decisions regarding future action will be taken.

Trade Missions

314. **Deputy Seán Ó Fearghaíl** asked the Minister for Agriculture, Fisheries and Food the number of international trade missions he will undertake in the remainder of 2011; and if he will make a statement on the matter. [12345/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): At this point in time, my trade related visits planned for this year involve a visit to the UK in June which, as the Deputy will be aware, is one of Ireland's leading export markets for food and beverages. I will meet with my UK counterpart, Ms Caroline Spellman, the Minister for the Environment and two of her junior ministers to discuss trade and other related matters. Events will also be organised around my visit to provide publicity for Irish exports of food and beverages to the UK. In addition, I will visit Paris, in the autumn to take part in the SIAL trade fair. This trade fair is the leader in the global food industry with exhibitors from all over the world, including over 9,300 exhibitors, food manufacturers, distributors, importers, wholesalers and retailers. It is an important event for Irish companies involved in the export of food and beverages and who wish to make contact with key players in the market.

Grant Payments

315. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Fisheries and Food if he will review an application for a supplementary payment in respect of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [12355/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The holding of the person concerned was restricted during the period 2 April 2008 to 8 June 2010, following a post mortem check on animals sent for slaughter which disclosed TB infection in two animals. Arising from the disclosure of TB in these animals, several TB tests were conducted on the person's herd in the course of the following months and a total of 26 reactor animals were removed as a result of these tests. Compensation of €15,648.30 due under the TB On-Farm Market Valuation Scheme was paid in respect of these animals.

With regard to the Income Supplement scheme, the scheme rules provide that herdowners may qualify for additional compensation payments where more than 10% of animals in a herd are removed as reactors and where depopulation is not appropriate. In breakdowns such as the one in question, where the restriction results from a post mortem check, animals identified as being infected with TB in the context of the post mortem check are not included in the calculation of the 10% qualifying criterion as these animals were not removed as reactors by my Department. This criterion is based on the number of animals presented for the on-farm test which disclosed the reactors subsequent to the post mortem check and the number of reactors removed in the course of the restriction. In this case, the number of reactors removed as a result of these tests did not meet the 10% qualifying criterion until 15 January 2010 and,

in accordance with the conditions of the scheme, the person concerned qualified for the Income Supplement from that date. Payments totalling €3,656.56 have been paid to the person under this scheme.

As the Deputy is aware, the person in question is entitled to appeal the initial decision by the DVO to refuse the Income Supplement to the Regional Assistant Principal Officer and, if appropriate, to the Agricultural Appeals Office. The decision was appealed to the Assistant Principal, who upheld the decision and, by letter dated 19 January 2010, informed the person in question that he could also appeal this decision to the Agricultural Appeal's Office. I am advised that no such appeal has been lodged. The time frame for lodging appeals to the Agriculture Appeals office is three months after the decision was taken by the Regional Assistant Principal.

316. **Deputy Niall Collins** asked the Minister for Agriculture, Fisheries and Food, with regard to the modulation funds that are retained from the single farm payments, the use to which these funds will be put; and if he will make a statement on the matter. [12363/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Modulation is a process whereby each farmer's Single Payment is reduced by a set percentage (first €5,000 exempt, 9% between €5,001 and €300,000 and 13% over €300,000). Up to 80% of funds generated through modulation can be retained in Ireland for spending on certain Rural Development measures. The main Rural Development measures currently administered by my Department are the Disadvantaged Areas Scheme, the Rural Environment Protection Scheme (REPS) and the Agricultural Environmental Options Scheme (AEOS).

Departmental Staff

317. **Deputy Michael McCarthy** asked the Minister for Agriculture, Fisheries and Food if there are any vacancies, temporary or permanent, in its functions in Castletownbere, County Cork, and the application process for persons interested in such vacancies. [12390/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): There is currently one vacancy at General Operative level in Castletownbere. However, as the Deputy will be aware, a moratorium on recruitment and promotion is currently in place in the public service. Under the terms of the moratorium, no public service post, however arising, may be filled by recruitment or promotion without the prior sanction of the Minister for Finance.

Grant Payments

318. **Deputy Charlie McConalogue** asked the Minister for Agriculture, Fisheries and Food when payment under the single farm payment scheme will issue in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [12417/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): An application under the 2010 Single Payment Scheme was received from the person named on 12 April 2010. During the validation of the application, a number of errors were identified in respect of some land parcels declared by the applicant. This matter has now been resolved and payment will issue to the person named shortly.

Dairy Industry

319. **Deputy Dara Calleary** asked the Minister for Agriculture, Fisheries and Food the financial supports available within his Department for firms seeking to expand within the dairy ingredients sector. [12457/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): A number of supports are available to companies in the dairy ingredients sector. Client companies of Enterprise Ireland are eligible for support under all elements of the Food Competitiveness Fund, which is funded by my Department and which supports business transformation through ‘lean’ business process initiatives, management development and leadership initiatives. Companies engaged in changing how they operate will expect to benefit from increased productivity and quality as well as reductions in manufacturing costs.

Funding is also available under Enterprise Ireland’s Innovation Voucher Scheme. This provides funding worth €5,000 where small companies can obtain an innovative solution to a technical or business challenge from Higher Education Institutes in Ireland or Northern Ireland. For smaller food companies, innovation vouchers have been a significant success leading to a productive working relationship between the commercial and education sectors.

Investment continues under the €100 million Dairy Investment Fund, which has been allocated in full following a competitive selection process awarded and is managed by Enterprise Ireland on behalf of my Department. The primary purpose of this Fund is to increase efficiency by supporting the upgrading of plant and buildings for competitiveness and development of value-added products. Many of the projects grant-aided under the Fund will lead to significant gains for the dairy industry through new product development, greater production efficiencies and increased export capability.

Grant Payments

320. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if a penalty relating to a REP scheme payment will be waived in view of the appeal lodged by a person (details supplied) in County Kerry. [12463/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 3 in November 2006 and has received payment in respect years 1 to 4.

Following an inspection on 20 September 2010, penalties totalling 100% of the year 5 payment were imposed. The person named was informed of these penalties and of the right to appeal by letter dated 4 February 2011. To date no appeal has been received.

Animal Identification Scheme

321. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food his views that proposed new electronic tags for sheep will work effectively; and if he will make a statement on the matter. [12480/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The introduction of electronic identification (EID) for sheep was agreed at EU level in late 2003. At that time, it was agreed to defer the implementation date until January 2008. The Agriculture Council revisited this issue in December 2007 when it was agreed that the deadline for the compulsory introduction of EID should be set for 31 December 2009, 6 years after the original decision was taken.

Accordingly, Ireland has in common with other EU Member States and in line with EU law, introduced electronic identification of sheep last year. However in Ireland’s case given that our existing system up until now has provided adequate assurances in terms of animal identification and traceability, it was decided to minimise the impact on farmers and avail of the EU derogation which allowed us to confine mandatory electronic tagging to breeding sheep and live sheep being exported. The effect of this is that the vast majority of Irish lamb that go directly

to slaughter are unaffected by EID. However, I can inform the Deputy that some 650,000 EID tag sets have been purchased to date.

I fully appreciate that there will be teething problems in the move to the new system but nevertheless we have proceeded with the introduction of EID since it is the law in the European Union.

My Department has conducted extensive consultation with the farm organisations and sought to minimise the change to the existing National Sheep Identification System (NSIS) and ensure that the new arrangements best suit Irish conditions and minimise the burden on farmers within the parameters of the new legislation.

My officials will continue to liaise with the various stakeholders in the ongoing implementation of EID in sheep.

BIM Training Programmes

322. **Deputy Michael McCarthy** asked the Minister for Agriculture, Fisheries and Food if his attention has been drawn to the fact that it is no longer possible to complete a full skipper ticket at the BIM training centre in Castletownbere, County Cork, following the loss of a teacher in the college; the reasons the individual post has been vacated; the circumstances under which the post can be re-filled; and if he will make a statement on the matter. [12500/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): BIM is an independent statutory body and has advised my Department that the demands of delivering the 14 week intensive course leading to the Skipper Full Certificate of Competency require the availability of two Master Mariner plus other instructors with maritime qualifications satisfying the requirements of the Marine Survey Office of the Department of Transport.

In August, 2008 the employment contract of one Master Mariner Instructor in the Regional Fisheries Centre, Castletownbere concluded. As a result the Skipper Full Certificate of Competency course could not be offered in Castletownbere. Aspiring candidates were redirected to BIM's National Fisheries College, Greencastle, Co. Donegal. Following the retirement a Master Mariner in Greencastle in December 2010, BIM had to cancel Skipper Full Certificate.

My Department and BIM have commenced discussions on addressing the personnel needs of delivering the Skipper Full Certificate course in the context of BIM's Employment Control Framework targets. BIM advise that in the interim it intends to seek instructors on a service supply basis on the Government's eTenders site as a matter of urgency.

Food Imports

323. **Deputy Seamus Kirk** asked the Minister for Agriculture, Fisheries and Food the import statistics for the range of fruit and vegetables consumed here over the past three years; and if he will make a statement on the matter. [12526/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Imports of fresh fruit and vegetables into Ireland for the years 2008-2010 are presented in Table 1 below. It should be noted that in the case of fruit the values include fresh/dried fruit. In the case of vegetables the values include fresh/chilled vegetables.

My Department continues to encourage the production of fruit and vegetables in Ireland and only recently I announced the provision of €4 million grant aid to 157 producers. In addition my Department administers the EU Producer Organisation Scheme which provides over €6.5m to 3 Producer Organisations

[Deputy Simon Coveney.]

I hope to shortly receive the report of the Group that was established to oversee the implementation of the horticultural recommendations in the Harvest 2020 Report and I hope that this will be of assistance in maximising the contribution of horticulture to the Irish economy.

Table 1: Imports of fresh fruit and vegetables into Ireland 2008-2010

Product	2008		2009		2010	
	Value €m	Tonnage 000s	Value €m	Tonnage 000s	Value €m	Tonnage 000s
Apples	54,547	65,413	48,914	58,871	47,934	53,271
Soft fruit*	20,594	4,812	19,348	5,148	13,128	2,621
Total other Fruit**	184,833	195,356	167,708	186,688	176,042	190,448
Potatoes	25,848	52,212	22,840	58,021	27,134	66,072
Carrots	13,082	19,072	16,849	25,283	14,451	23,474
Cabbage	18,935	19,629	20,736	20,932	22,356	21,952
Tomatoes	41,646	36,216	37,449	34,968	39,955	29,969
Onions	27,212	53,577	17,939	37,024	23,699	40,333
Total other Vegetables	72,935	51,768	99,102	70,469	131,574	83,003
Total Fruit & Vegetable Imports	459,632	498,055	450,885	497,404	496,273	511,143

Source: CSO

Note: Soft fruit* includes strawberries, raspberries, blackberries, mulberries, loganberries, cranberries and bilberries. Other fruit ** includes citrus, bananas and grapes.

Apple Growing Industry

324. **Deputy Seamus Kirk** asked the Minister for Agriculture, Fisheries and Food the current apple orchard acreage; the variety grown; and if he has plans to expand the acreage. [12527/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The Department of Agriculture, Fisheries and Food conducts a detailed apple orchard census every five years to update national statistics and to comply with EU legislation. The last orchard census took place in 2007*. It showed 40 Irish apple growers with a production area of 579 ha. The Department estimates this area to have now increased to about 620 ha.

Apple varieties grown in Ireland can be classed as culinary, dessert or cider. The most common culinary variety is *Brambley's Seedling*. The most important dessert variety is *Jonagold* whilst *Dabinett* and *Michelin* are the most commonly grown cider apple varieties.

The Department of Agriculture, Fisheries and Food continues to support the development of the Irish Apple sector through the Scheme of Investment Aid for the Development of the Commercial Horticulture Sector. Earlier this month, the Department announced approval of 157 applicants under the Scheme for 2011. This includes 7 apple producers who plan to make capital investment in their operations.

*Note: The 2007 Orchard Census Report is available on the Department's website at: <http://www.agriculture.gov.ie/farmingsectors/horticulture/horticulturestatistics/>.

Grant Payments

325. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if he will issue a breakdown of the sums of money paid to persons (details supplied) in County Kerry

as single farm payment and disadvantaged area scheme payments on 23 March 2011 and 4 April 2011; and if he will make a statement on the matter. [12545/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The information being sought is personal data within the meaning of the Data Protection Acts 1988 to 2003 and the Minister cannot disclose such data without the consent of the data subjects. However, if the Deputy can provide the relevant consents, the Minister would be willing to provide such information directly to the Deputy.

326. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if the penalty imposed on a person (details supplied) in County Kerry in respect of their REP scheme payment will be reduced in view of the explanation given by the person for REP scheme non-compliance; and if he will make a statement on the matter. [12555/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 3 in December 2006 and has received payment in respect years 1 to 4.

Following an inspection on 3 December 2010, penalties totalling 105% of the 5th year payment were imposed. An appeal dated 23 March 2011 was received by my Department. Following a review of the case the person named was informed by letter on 24 May 2011 that the appeal was not successful. The person named was also informed of his right to appeal this decision to the Agricultural Appeals Office within three months of the date of receipt of this letter.

National Reserve Applications

327. **Deputy Mattie McGrath** asked the Minister for Agriculture, Fisheries and Food when a decision will issue on an application under the national reserve 2011, category B, in respect of a person (details supplied) in County Tipperary; and if he will make a statement on the matter. [12621/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The closing date for the 2011 National Reserve was 16 May 2011. Category B caters for farmers who commenced farming after 15 May 2009. In addition certain criteria in relation to income limits, farming experience and farming qualifications must also be met. Applicants are also required to submit a 2011 Single Payment application form detailing all lands which they are currently farming.

Recording of 2011 National Reserve applications received by the closing date is currently underway and it is not possible to determine, at this point in time, if a 2011 National Reserve application has been submitted by the person named.

328. **Deputy Mattie McGrath** asked the Minister for Agriculture, Fisheries and Food when a decision will be made on an application under the national reserve 2011, category B, in respect of a person (details supplied) in County Cork; and if he will make a statement on the matter. [12622/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The closing date for the 2011 National Reserve was 16 May 2011. Category B caters for farmers who commenced farming after 15 May 2009. In addition certain criteria in relation to income limits, farming experience and farming qualifications must also be met. Applicants are also required to submit a 2011 Single Payment application form detailing all lands which they are currently farming.

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Recording of 2011 National Reserve applications received by the closing date is currently underway and it is not possible to determine, at this point in time, if a 2011 National Reserve application has been submitted by the person named.

BIM Training Programmes

329. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if he will appoint a second teacher at a college (details supplied) in County Cork to enable students complete their skipper ticket training; and if he will make a statement on the matter. [12759/11]

331. **Deputy Thomas P. Broughan** asked the Minister for Agriculture, Fisheries and Food if he will review the loss of a teacher at a college (details supplied) in County Cork in view of the fact that the school now only has one teacher left and it is not possible to complete a full Skipper Ticket course at the college; and if he will make a statement on the matter. [12785/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): I propose to take Questions Nos. 329 and 331 together.

BIM is an independent statutory body and the leading provider of vocational training to the seafood industry. BIM has advised my Department that the demands of delivering the 14 week intensive course leading to the Skipper Full Certificate of Competency require the availability of two Master Mariner plus other instructors with maritime qualifications satisfying the requirements of the Marine Survey Office of the Department of Transport.

In August, 2008 the employment contract of one Master Mariner Instructor in the Regional Fisheries Centre, Castletownbere concluded. As a result the Skipper Full Certificate of Competency course could not be offered in Castletownbere. Aspiring candidates were redirected to BIM's National Fisheries College, Greencastle, Co. Donegal. Following the retirement a Master Mariner in Greencastle in December 2010, BIM had to cancel Skipper Full Certificate.

My Department and BIM have commenced discussions on addressing the personnel needs of delivering the Skipper Full Certificate course in the context of BIM's Employment Control Framework targets. BIM advise that in the interim it intends to seek instructors on a service supply basis on the Government's eTenders site as a matter of urgency.

Afforestation Programme

330. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if a person who has participated in the early retirement scheme from farming is subsequently entitled to the farmer rate of premium for afforestation; and if he will make a statement on the matter. [12762/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Under the terms of the scheme, an applicant under the afforestation scheme who is or was a participant in the Early Retirement Scheme (ERS) is not entitled to forestry premiums at the farmer rate unless that person refunds the Department the ERS payments in full. A person who is or was a member of the ERS scheme is however entitled to forest premiums at the non-farmer rate, which are payable for a period of 15 years.

Question No. 331 answered with Question No. 329.

Departmental Properties

332. **Deputy Martin Ferris** asked the Minister for Agriculture, Fisheries and Food if Glengarrif Woods, County Cork, have been sold to a private company by Coillte. [12806/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): Coillte Teoranta was established as a private company under the Forestry Act, 1988 and day-to-day operational matters, such as land transactions, are the responsibility of the company.

Coillte has, however, advised that it has not sold Glengarrif Woods to a private company.

Grant Payments

333. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Galway will receive their agri-environment options scheme payment; and if he will make a statement on the matter. [12813/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named has been approved into the AEOS scheme with a start date of 1 September 2010.

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. I expect that payments to participants in the scheme in respect of the first year will commence in August and that payments in respect of year two will commence in October. I am working with my officials to bring the payments forward if at all possible as I can understand the need for expediency.

Fishing Quotas

334. **Deputy Jim Daly** asked the Minister for Agriculture, Fisheries and Food his views on the boarfish quotas introduced in 2011 by the EC; the way it is proposed to distribute this quota; and if he will make a statement on the matter. [12825/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The Boarfish is a small pelagic species of fish which has in recent years become the target of commercial fishing by the Irish fleet. Until 2011 no Total Allowable Catch (TAC) or national quota had been determined.

At the EU Fisheries Council negotiations in 2010 when determining the TAC and Quota for 2011, of critical importance was ensuring that Ireland received a fair share of the Boarfish stock for 2011 and future years. Despite major efforts from certain other Member States for the stock to be shared out equally between five or more Member States, Ireland secured a 67.3% share of this stock for 2011 and future years.

The Irish quota for 2011 is set at 22,227 tonnes which was established on a precautionary basis as the scientific information to inform advice was limited. Data on the stock are currently being compiled to inform scientific advice which will be available later in the year. It is hoped that, based on the scientific advice, the TAC and quota will increase for future years.

I intend to give careful consideration to how this quota will be distributed amongst the Irish fleet for 2011. To this end, I requested proposals from the fishing industry on the matter. I have recently received these proposals and I am giving them careful consideration. I intend to decide arrangements, taking account of the views provided and the technicalities of this fishery, in the near future and in good time for the commencement of the boarfish fishery season.

Question No. 335 withdrawn.

Legislative Programme

336. **Deputy Joe Costello** asked the Minister for Health and Children when he will publish the legislation on female genital mutilation; and if it will be included in the legislative programme for this term. [12333/11]

Minister for Health and Children (Deputy James Reilly): I am pleased to inform the Deputy that the Criminal Justice (Female Genital Mutilation) Bill 2011 remains on the Seanad Order Paper. The issue of restoration will arise after the new Seanad is formed, and will be pursued as soon as possible.

Child Care Services

337. **Deputy Pádraig Mac Lochlainn** asked the Minister for Health and Children if he will review the allocation of child care places in Buncrana, County Donegal, for clients wishing to progress onto FÁS training programmes and ultimately employment; and if any unused places within the vocational educational committee allocation may be utilised by the FÁS participants. [12399/11]

Minister for Health and Children (Deputy James Reilly): The new Childcare Education and Training Support (CETS) programme was introduced in September of last year and is implemented by the Childcare Directorate in the new Department of Children and Youth Affairs, on behalf of FÁS and the Vocational Educational Committees (VECs).

The CETS programme replaces the previous childcare support programmes implemented by FÁS and the VECs under which qualifying students and trainees were paid a weekly Childcare Allowance of up to €63.50 per child as a contribution to their childcare costs. Under the new CETS programme, qualifying students and trainees can avail of childcare places free of charge, with the Childcare Directorate paying providers a weekly capitation rate of €170 for each full-time childcare place. The eligibility criteria continue to be determined by the Department of Education and Skills and FÁS.

One childcare service in the Buncrana area is currently participating in the CETS programme and is providing places for 17 full-time VEC students and 1 part-time VEC student. Applications from services, both new and existing participants in the CETS programme, in respect of the period September 2011 to August 2012 are currently being processed and services admitted to the programme will be informed of the number of FÁS and VEC places they will be allocated as part of this process.

The match between the allocation of CETS places and their utilisation by both FÁS and VEC students and trainees, is monitored by the Childcare Directorate and the 33 City or County Childcare Committees. Where a parent has difficulty in accessing a CETS place, he or she should contact the local Childcare Committee to request a place and, in every case where it is possible, the Childcare Directorate will arrange for a suitable childcare place to be allocated. I understand that no such request from the Buncrana area has been made to either the Childcare Directorate or Donegal County Childcare Committee.

Nursing Home Grants

338. **Deputy Frank Feighan** asked the Minister for Health and Children the capital grants available for construction or refurbishment of nursing homes; and if he will make a statement on the matter. [12493/11]

Minister for Health and Children (Deputy James Reilly): Upon its completion, the Community Nursing Unit (CNU) programme which commenced in 2006 will have delivered approximately 2,246 beds — comprising 879 additional and 1,367 replacement beds. Between 2006 and 2010 approximately €442m Exchequer capital funding has been provided for Services for Older People including community nursing units. In order to comply with regulatory requirements, the HSE is now concentrating on the refurbishment and upgrade of existing accommodation.

Any capital development, including grants for the construction or refurbishment of nursing homes, must be considered in the context of the overall HSE Capital Plan. This is a multi-annual programme which is developed over a rolling five year period. In drawing up its capital programme for the current 2011-2015 period the HSE is required to prioritise capital infrastructure projects within the overall capital funding allocation.

Given the level of contractual commitments already in place, there is limited funding available for new contracts before 2014. The HSE has submitted its draft capital plan for the multi-annual period 2011-2015. It is essential to assess all projects, other than those where existing contractual commitments are in place, on their merits to ensure that the limited capital funding available goes to those developments which are of highest national importance. This draft plan is under consideration and requires my approval together with the consent of the Minister for Finance. Details of the plan will be published by the HSE following its approval.

National Lottery Funding

339. **Deputy Dara Murphy** asked the Minister for Health and Children if he will provide details in relation to the amount of funding allocated from the National Lottery Beneficiary Fund since 1998 to projects in the Dáil constituency of Cork North-Central under schemes (details supplied). [12664/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): My Department provides grant-in-aid funding, part-funded by the National Lottery, to a number of organisations providing adult education, cultural and scientific activities. The funding is for their general running expenses.

The Department has not allocated funding from the National Lottery Beneficiary Fund to any projects in the Cork North Central constituency in the categories referred to by the Deputy. However, my Department does provide grant-in-aid to the Feis Maitiú based in the Father Mathew Hall in Cork City.

Details of funding provided by the Department to Feis Maitiú over the past five years are as follows: 2006 — €44,500, 2007 — €45,000, 2008 — €45,000, 2009 — €41,000 and 2010 — €38,500. In 2011, funding of €36,700 has been provided for Feis Maitiú.

Funding for youth grants is the responsibility of my colleague the Minister for Health and Children who will provide a reply on this aspect of your question.

Crime Prevention

340. **Deputy Mary Lou McDonald** asked the Minister for Health and Children if he and the Garda Síochána have identified the increasing problem of prescription drugs being sold illegally; and the measures he and the Garda Síochána are taking to address this problem. [12737/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): In accordance with international conventions, medicinal products which are controlled drugs and

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which have the potential to be misused are controlled under the Misuse of Drugs Acts and Regulations. The Misuse of Drugs Regulations 1988 as amended place additional controls on the prescribing, dispensing, supply and possession of those prescription medicines which are controlled drugs.

The problem of the misuse of prescription drugs has been recognised at national, European and international levels. Through the framework of the National Drugs Strategy 2009-2016, my Department is working in collaboration with the relevant statutory agencies to monitor the availability of controlled drugs, including prescription medicines, through illicit supply channels.

I am informed that An Garda Síochána is aware of the practice of the misuse and abuse of prescribed drugs, most frequently in circumstances where illegal substances subject to the Misuse of Drugs Acts have become scarce due to law enforcement measures. The Misuse of Drugs legislation provides for prosecutions in circumstances where substances seized, including prescribed drugs, are controlled substances under the legislation.

Specifically in relation to benzodiazepines and other related medicines, my Department and the HSE are currently actively engaged in the development of policy and the consideration of measures to improve practices regarding the use of these medicines within the health system and are reviewing legislative measures on the control of these and related substances.

I can assure the Deputy that the enforcement of the law relating to the sale of drugs, including prescription drugs, continues to be a priority in the Government's commitment to tackling the issue of drug misuse in this jurisdiction.

Child Protection

341. **Deputy Jonathan O'Brien** asked the Minister for Health and Children his plans to legislate to ensure emotional abuse is included as a recognised form of abuse which must be addressed if a child's rights are to be upheld; and if he will make a statement on the matter. [11882/11]

Minister for Health and Children (Deputy James Reilly): The Health Service Executive (HSE) has statutory responsibility under the Child Care Act 2001, to promote the welfare of children who are not receiving adequate care and protection. In the performance of this function the HSE has regard to all forms of child abuse, including emotional abuse.

Children First, the National Guidelines for the Protection and Welfare of Children, describes the principal types of child abuse and offers guidance on how to recognise and respond to allegations of abuse. The Guidelines identify emotional abuse as one of four categories of abuse and recognise that a child may be subject to more forms of abuse at any given time.

The Minister for Children, in conjunction with the Minister for Justice and Law Reform, is developing proposals for consideration by Government which are designed to ensure that the Children First Guidelines are underpinned by appropriate legislation.

Health Service Inspections

342. **Deputy Joe Costello** asked the Minister for Health and Children when the proposed meeting to formalise the suspension of the registration of a centre (details supplied) will take place; the person who requested the suspension of the centre; if the centre will now close down permanently; and if he will make a statement on the matter. [12337/11]

Minister for Health and Children (Deputy James Reilly): The centre referred to by Deputy Costello is a non-statutory centre which was registered by the HSE to commence operation on

the 10th of September 2010 pending a full inspection as per the Registration and Inspection Service protocol. The centre was registered for a maximum capacity of two young people aged 12 to 17 on admission. The written and agreed purpose and function of the centre was to offer short term placements to young people. The service was to offer a high level of support to young people in a community based setting.

The first full on site inspection of the centre by the HSE took place on the 14th and 15th of March 2011. In general the Inspectors found that the centre was not in substantial compliance with a number of operational practices and there were issues with the leadership and management of the centre. It was also identified that there was no consistent model of care being utilised in the centre. The HSE Inspectorate had been in regular contact with the centre since the inspection and at a meeting organised by the HSE with the registered proprietors on Thursday 19th May, 2011, it was agreed that the centre will cease operation in three weeks.

This is to facilitate the one young person currently in the centre to move in a planned manner.

Health Services

343. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children his views that a package of incentives should be introduced in order to stimulate the delivery of primary health care centres across the country; if he has engaged with the Department of Finance on this issue; and if he will make a statement on the matter. [12340/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): The development of Primary Care Teams and Primary Care Centres is a priority under the Programme for Government. The aim is to significantly increase health and social care in local communities. This will be achieved by increasing activity in the primary care setting and by redirecting services away from acute hospitals to the community.

The introduction of incentives to stimulate the delivery of primary care health centres across the country was recommended by the Joint Oireachtas Committee on Health and Children in its Report on Primary Medical Care in the Community published in February 2010. Among the incentives proposed were the introduction of Capital Tax Allowances, Stamp Duty Relief and Rates Relief. These recommendations were not advanced by the previous Government.

My Department is engaged in consultations with the Health Service Executive with a view to accelerating the provision of Primary Care Centres. The need for incentives will be considered in that context.

344. **Deputy Marcella Corcoran Kennedy** asked the Minister for Health and Children when a person (details supplied) in County Offaly will obtain an appointment; and if he will make a statement on the matter. [12354/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

345. **Deputy Niall Collins** asked the Minister for Health and Children if new patients diagnosed with haemochromatosis are being treated or admitted to the Mid-Western Regional Hospital, Limerick; if not the location at which treatment is available for new patients; and if he will make a statement on the matter. [12361/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for direct reply.

Freedom of Information

346. **Deputy Niall Collins** asked the Minister for Health and Children the reason the Health Service Executive has failed to respond within the applicable time limit to a freedom of information request submitted by a group (details supplied); and if he will make a statement on the matter. [12362/11]

Minister for Health and Children (Deputy James Reilly): Under the Freedom of Information legislation the Health Service Executive is a completely separate body from the Department of Health and Children. Statutory responsibility for compliance with the provisions of the Freedom of Information Acts rests entirely with the Health Service Executive. Provisions within the Freedom of Information legislation allow for an appeals process should any prescribed body fail to meet its requirements under the Acts.

Health Services

347. **Deputy John O'Mahony** asked the Minister for Health and Children the dental treatments available to persons who have medical cards; and if he will make a statement on the matter. [12386/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): Under the Dental Treatment Services Scheme (DTSS) priority is given to medical card holders who have the greatest clinical need. In addition, free emergency dental treatment and a free oral examination every 12 months are available to all eligible patients.

348. **Deputy John O'Mahony** asked the Minister for Health and Children the orthodontic treatments available to primary school students; and if he will make a statement on the matter. [12387/11]

350. **Deputy John O'Mahony** asked the Minister for Health and Children the orthodontic treatments available to secondary school students; and if he will make a statement on the matter. [12389/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): I propose to take Questions Nos. 348 and 350 together.

All children are targeted for preventive measures under the school dental programme. These children are screened and referred for treatment as necessary and retain eligibility up to their 16th birthday. The Health Service Executive provides orthodontic treatment to patients based on their level of clinical need. An individual's access to orthodontic treatment is determined against a set of clinical guidelines.

Medical Cards

349. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if he will expedite 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. [12388/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Question No. 350 answered with Question No. 348.

General Medical Services Scheme

351. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if his attention has been drawn to the practice of general practitioners charging over 70s medical card patients for examinations, blood tests and completion of forms in connection with applications for renewal of driving licences; if these procedures are covered under the general medical services; and if he will make a statement on the matter. [12391/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): Under the General Medical Services (GMS) contract, a general practitioner (GP) is expected to provide his/her patients who hold medical cards or GP visit cards with all proper and necessary treatment of a kind generally undertaken by a GP. Where blood tests form part of the investigation and necessary treatment of patients' symptoms or conditions, these should be provided free of charge to medical card and GP visit card holders. The HSE also points out that, in many GP surgeries, it is the practice nurse who takes blood samples. The HSE significantly subsidises the cost of employing practice nurses.

I would be most concerned if it were to emerge that GMS patients are being charged inappropriately by GP contractors. If the HSE is made aware of specific cases where GMS patients are being charged by GP contractors, it will arrange to have such cases investigated as appropriate. A report has been requested from the Primary Care Unit Managers in the HSE on the extent of complaints received and the status of same. The contract between the HSE and GPs under the GMS Scheme stipulates that fees are not paid to GPs by the HSE in respect of certain medical certificates which may be required, for example, "under the Social Welfare Acts or for the purposes of insurance or assurance policies or for the issue of driving licences". There are no proposals to alter this provision.

Health Services

352. **Deputy Dominic Hannigan** asked the Minister for Health and Children the current criteria being applied when reducing home help hours. [12419/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): Government policy is to support older people to live at home and in their communities for as long as possible. This is realised through a range of community based supports provided by the Health Service Executive, including the Home Help service.

There has been no reduction in the overall funding to the Executive for the Home Help service for 2011 compared to last year. As per the Service Plan agreed for the current year, the Executive is committed to providing nearly 12 million Home Help hours nationally to around 54,000 clients. It is a matter for the Executive, who has operational responsibility to provide the service nationally, to also manage the service at local or individual level. This may involve changing service provision by Local Health Offices, to meet evolving service priorities or other circumstances over the course of the year. I have sought more detail from the Executive, in relation to the specific issue raised by the Deputy, and will revert with a final response as soon as possible.

Nursing Homes Support Scheme

353. **Deputy Billy Kelleher** asked the Minister for Health and Children if he will address the situation whereby the families of those in nursing homes under the fair deal scheme are

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required to cover the costs of basics such as pads, devices and chiropody when many are on limited incomes themselves; and if he will make a statement on the matter. [12421/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): The Nursing Homes Support Scheme, A Fair Deal, provides financial support in respect of the cost of long-term residential care. 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,
- bed and board,
- basic aids and appliances necessary to assist a person with the activities of daily living, and
- laundry service.

Incontinence wear is provided free of charge by the HSE to all Fair Deal residents within approved nursing homes. 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.

A person who avails of the Nursing Homes Support Scheme should not be charged any additional fee over and above this agreed price, except where he or she chooses to obtain additional services over and above long-term residential care services, for example, hairdressing or the delivery of daily newspapers. Finally, the Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2009 specify that the registered provider shall agree a contract with the resident within one month of their admission. The contract must include details of the services to be provided for that resident and the fees to be charged. A person should not be charged fees which are not set out in the contract.

Medical Cards

354. **Deputy Marcella Corcoran Kennedy** asked the Minister for Health and Children the position regarding a medical card application in respect of a person (details supplied) in County Offaly; and if he will make a statement on the matter. [12434/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

355. **Deputy Niall Collins** 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 Limerick. [12435/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Services

356. **Deputy Catherine Murphy** asked the Minister for Health and Children the number of

children who suffer from diabetes in County Kildare; the number of these who have been referred to paediatric services in Dublin; if his attention has been drawn to the proposal put forward by Diabetes Action in its proposal for improved child and adolescent diabetes services that a new paediatric network be established; if he will implement this proposal; and if he will make a statement on the matter. [12436/11]

358. **Deputy Barry Cowen** asked the Minister for Health and Children if he will provide details on the access to treatments for diabetes patients in the Laois-Offaly constituency from which 120 people have to travel to Dublin hospitals to receive their treatment. [12453/11]

424. **Deputy Catherine Murphy** asked the Minister for Health and Children the number of children who suffer from diabetes in Kildare; the number who have been referred to pediatric services in Dublin; and if he will make a statement on the matter. [12844/11]

425. **Deputy Catherine Murphy** asked the Minister for Health and Children if his attention has been drawn to the proposal put forward by Diabetes Action in its proposal for improved child and adolescent diabetes services that a new pediatric network should be established; his plans to implement this proposal; and if he will make a statement on the matter. [12845/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 356, 358, 424 and 425 together.

The information requested by the Deputy is not readily available in my Department. Therefore I have asked the Health Service Executive to supply the necessary information to me and I will forward it to the Deputy as soon as possible.

Rare Diseases

357. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the time frame for the completion of the strategy on rare diseases; and if there will be consultation with a selection of persons with rare diseases or their parents as part of its development. [12447/11]

Minister for Health and Children (Deputy James Reilly): A national strategy group of stakeholders that includes patient organisations and patient representatives was established earlier this year to develop a national strategy on rare diseases; and it is anticipated that their strategy will be completed by mid-2012.

Question No. 358 answered with Question No. 356.

Medical Cards

359. **Deputy Seán Ó Fearghaíl** asked the Minister for Health and Children if an application for a medical card will be expedited in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [12462/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Nursing Homes Support Scheme

360. **Deputy Billy Kelleher** asked the Minister for Health and Children if the nursing homes support scheme is still in place; if there is adequate funding to meet the expected demand this

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year; if the Health Service Executive has stated that it is no longer accepting applications for this scheme; and if he will make a statement on the matter. [12471/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): The Nursing Homes Support Scheme commenced on 27th October 2009. Since the commencement of the scheme, the HSE has received over 20,900 applications. 16,300 applications have resulted in final approval, as of the end of March 2011. In 2011 a total of €1.011billion is allocated in the HSE Service Plan to fund all long-term residential care.

A number of factors, including an increase in demand, have emerged this year which are contributing to increased pressure on the level of funding available for the scheme. Applications for the Fair Deal Scheme continue to be accepted and processed. However, approvals will be subject to the availability of funding. The HSE is working closely with the Department to explore options to meet the increased demand for this scheme within the resource constraints.

Medical Cards

361. **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 Carlow; and if he will make a statement on the matter. [12475/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Vaccination Programme

362. **Deputy Maureen O'Sullivan** asked the Minister for Health and Children if he intends introducing vaccine damage compensation for those Irish children injured by State promoted vaccines. [12486/11]

Minister for Health and Children (Deputy James Reilly): My Department is currently examining the recommendations of the Vaccine Damage Steering Group in detail and expects to have proposals for my consideration shortly.

Medical Cards

363. **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). [12488/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Long-Term Illness Scheme

364. **Deputy John Lyons** asked the Minister for Health and Children if he will consider adding narcolepsy to the long-term illness scheme; and if he will make a statement on the matter. [12490/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): There are no plans to extend the list of conditions covered by the Long Term Illness Scheme. However, the terms of the scheme will be reviewed in the context of the Government's proposals for Universal Health Insurance and free GP care at the point of delivery. Under the

Drugs Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

Hospital Procedures

365. **Deputy Gerald Nash** asked the Minister for Health and Children if it is his intention to meet with a representative group of women who have been affected by the practice of symphysiotomy in advance of the commencement of work on a new research report commissioned by him into the practice of symphysiotomy in this country; if it is his intention to organise such a meeting between representatives of those affected and the researcher commissioned by him to undertake the research; and if he will make a statement on the matter. [12491/11]

Minister for Health and Children (Deputy James Reilly): The Chief Medical Officer of my Department has commissioned an independent research report into the practice of symphysiotomy in Ireland. The aim of the report will be to provide an accurate picture of the extent of use of symphysiotomy in Ireland, and an examination of the Irish practice relative to other countries. It will include an assessment of the circumstances in which the procedure was carried out, what protocols or guidance existed at the time to guide professional practice, and details of when the practice changed and why. It is my intention that the academic researcher will carry out this work on an objective and independent basis. Following receipt of this report, my Department will further engage with patient representative groups on the matter.

Medical Cards

366. **Deputy Finian McGrath** asked the Minister for Health and Children the position regarding a medical card in respect of a person (details supplied) in Dublin 3. [12497/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Dormant Accounts Fund

367. **Deputy Tom Fleming** asked the Minister for Health and Children if he will provide assistance to a group (details supplied) under the dormant account scheme or any other scheme that may be available. [12502/11]

Minister for Health and Children (Deputy James Reilly): There is no dormant account funding available this year for the Health Service.

My Department has a National Lottery discretionary fund in place which considers applications for once-off grants to community groups and organisations, providing a range of health related services. An organisation may make an application for National Lottery Funding by forwarding a formal application. Application forms and detailed procedures to be followed can be found on my Department's website — www.dohc.ie.

You may wish to note that there are a number of systems of support in place for cancer patients who have to travel for treatment, through the Community Welfare Office services and

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the Travel2Care scheme. The Travel2Care scheme is being implemented on a phased basis in line with the transfer of cancer services to the designated centres and the approved satellite centre. Support is available where this transfer of services would otherwise cause financial hardship. This scheme, which is funded by the NCCP and administered by the Irish Cancer Society, provides some financial assistance towards the costs of public transport such as trains or buses, private transport costs; or petrol and parking.

In addition, the Health Service Executive (HSE) is currently reviewing its policy in relation to eligibility for non-ambulance based patient transport services in order that a consistent policy is adopted nationally for these services.

Health Services

368. **Deputy Catherine Murphy** asked the Minister for Health and Children if he will evaluate a situation whereby a person (details supplied) was approved for assistance under the treatment abroad scheme but has recently received communications from the Health Service Executive that contradict that prior commitment; if, considering the very obvious need of this family for such assistance he will make all possible efforts to ensure that the HSE fulfil its original commitments to include this individual on the TAS; and if he will make a statement on the matter. [12510/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it was referred to the HSE for direct reply and I understand a reply has issued.

Mental Health Services

369. **Deputy Dan Neville** asked the Minister for Health and Children when the retired mental health officer with the Health Service Executive south, Cork will be replaced in view of the level of suicides in County Cork and the request by communities for advice which was previously available. [12514/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Health Service Reform

370. **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. [12515/11]

371. **Deputy Billy Kelleher** asked the Minister for Health and Children if he has 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. [12516/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 370 and 371 together.

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.

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 organised a seminar on Universal Health Insurance which was attended by officials from the Dutch Health Ministry, the World Health Organisation and the European Observatory on Health Systems and Policies. Furthermore, next month my officials will be undertaking a study visit to the Netherlands to examine in more detail the Dutch health reform programme. Such seminars and visits provide an important opportunity for my officials to understand the achievements and learning associated with the Dutch health reforms as well as considering international best practice in health care reform.

It is envisaged that there will be ongoing examination of the experience of 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

372. **Deputy Billy Kelleher** asked the Minister for Health and Children if he plans to sell the Government stake in VHI. [12517/11]

373. **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 the VHI to ask them to reduce their costs; and if he will make a statement on the matter. [12518/11]

374. **Deputy Billy Kelleher** asked the Minister for Health and Children if he will ensure the VHI will meet its solvency requirements as set out by the Regulator; and if he will make a statement on the matter. [12519/11]

375. **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. [12520/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 372 to 375, 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 have recently agreed to the appointment of financial and legal advisors to make recommendations on options to address the current imbalance in the private health insurance market. The advisors have been invited to consider all options — including, but not limited to, a break-up of the VHI.

I have previously expressed my concerns with regard to VHI's significant claims costs, much of which were outlined in the Millman review of VHI's claims. My Department is working closely with the VHI on this issue. In this regard, I note VHI's recently announced financial outturn for 2010, which shows a significant improvement over the 2009 overturn. While much

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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.

Tobacco Advertising

376. **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 cigarette appeal to consumers. [12521/11]

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. The matter will be considered by the Tobacco Policy Review Group which is expected to report to me shortly. I am also aware that Australia is giving consideration to this matter and will study the outcome of these measures within the constraints of current E.U. policy.

Departmental Expenditure

377. **Deputy Billy Kelleher** asked the Minister for Health and Children if he has had meetings or talks with clinicians and with the drugs industry with a view to achieving significant reductions in expenditure in this area in 2011. [12522/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): Following discussion with the Department of Health and Children and the HSE, members of the Irish Pharmaceutical Healthcare Association (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.

In addition, the 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 Status

378. **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 one, in order to improve the amount of funding available to the hospital; and if he will make a statement on the matter. [12523/11]

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.

Health Service Expenditure

379. **Deputy Billy Kelleher** asked the Minister for Health and Children following recent warnings from the IMF that health costs are dragging the economy down and that savings of €1 billion may be required this year alone, if he will outline the way he intends to make the necessary savings. [12524/11]

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

380. **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. [12525/11]

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, which will focus on reducing unacceptable waiting times for patients, and I am happy to confirm that the Government is on target to establish the Unit in its first hundred days. Extensive work is being undertaken in designing the Unit, which will be modelled in part on the successful special delivery unit in Northern Ireland.

Care of the Elderly

381. **Deputy Paudie Coffey** asked the Minister for Health and Children the number of residents in long-term care facilities including both private and public patients for both 2009 and 2010; and if he will make a statement on the matter. [12528/11]

382. **Deputy Paudie Coffey** asked the Minister for Health and Children the number of long-term care facilities here for both private and public patients in 2009 and 2010; and if he will make a statement on the matter. [12529/11]

383. **Deputy Paudie Coffey** asked the Minister for Health and Children the total cost to the Exchequer of providing long-term care in 2009 and 2010; and if he will make a statement on the matter. [12530/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): I propose to take Questions Nos. 381 to 383, inclusive, together.

In 2010 there were approximately 600 residential centres for older people. It is estimated that there were 23,750 people in long term residential care at the end of 2010 with a total Public/Private provision of approximately 30,000. This includes long-stay, respite, convalescence and palliative places altogether. The HSE Register of Public Beds reports that there were 8661 public beds on 31 December 2010. This figure includes long-stay, respite, convalescence, palliative places and temporary closed beds. Six thousand one hundred and forty seven of these beds were for continuing care.

With the commencement of the registration and inspection of nursing homes under the Health Act, 2007 (Registration of Designated Centres for Older People) Regulations on 1 July 2009 all existing nursing homes had to inform the Chief Inspector of Social Services (part of the Health Information and Quality Authority) of their existence within six months. At 31 December 2009, 591 designated centres had notified the Chief Inspector. One hundred and twenty three of these were public, with a maximum capacity of 7,891 beds. The remaining 468 were private, with a maximum capacity of 21,394 beds.

In 2009 €907 million was provided to fund long term residential care and in 2010 this was increased to €979 million in the relevant Subhead.

Health Service Staff

384. **Deputy Clare Daly** asked the Minister for Health and Children if he will confirm that

the rent supplement unit in Santry, Dublin 9, will continue to operate and that the contracts of the 26 community welfare officers who have been working in the unit will be extended and confirmed as full-time positions. [12533/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

Health Services

385. **Deputy Michael McGrath** asked the Minister for Health and Children when a child (details supplied) in County Cork will be assessed by a service provider. [12546/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have referred this question to the Health Service Executive for direct reply.

386. **Deputy Michael McGrath** asked the Minister for Health and Children when a person (details supplied) in County Cork will be assessed by a service provider. [12547/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have referred this question to the Health Service Executive for direct reply.

Medical Cards

387. **Deputy Michael McGrath** asked the Minister for Health and Children if general practitioners are entitled to charge medical card holders for a blood test; and if he will make a statement on the matter. [12552/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): Under the General Medical Services (GMS) contract, a general practitioner (GP) is expected to provide his/her patients who hold medical cards or GP visit cards with all proper and necessary treatment of a kind generally undertaken by a GP. Where blood tests form part of the investigation and necessary treatment of patients' symptoms or conditions, these should be provided free of charge to medical card and GP visit card holders. The HSE points out that, in many GP surgeries, it is the practice nurse who takes blood samples. The HSE significantly subsidises the cost of employing practice nurses.

I would be most concerned if it were to emerge that GMS patients are being charged inappropriately by GP contractors. If the HSE is made aware of any such cases, it will arrange to have them investigated as appropriate. A report has been requested from the Primary Care Unit Managers in the HSE on the extent of complaints received and the status of same.

Child Protection

388. **Deputy Jerry Buttimer** asked the Minister for Health and Children his plans for the future implementations of out of hours social work service; and if he will make a statement on the matter. [12624/11]

Minister for Health and Children (Deputy James Reilly): The Health Service Executive (HSE) provides out-of-hours emergency services for children at risk. The service is provided in the greater Dublin area through the Crisis Intervention Service (CIS) and outside the greater Dublin area through the Emergency Place of Safety Service (EPSS).

[Deputy James Reilly.]

The CIS provides an out-of-hours *emergency* social work service to young people aged under 18 years who are in crisis. The service operates across the greater Dublin area (Counties Dublin, Kildare and Wicklow). Referrals are made by service providers outside of normal working hours i.e. Gardaí, hospital and ambulance service personnel.

Outside the greater Dublin area, the HSE operates an EPSS whereby Gardaí can access an emergency placement for children found to be at risk out of hours. This service involves the out of hours placement of a child in a family setting until the next working day when the local social work service assumes responsibility for the case. As part of this service Gardaí have access to advice and information from a non-HSE social work off-site resource which is provided on a contract basis.

The HSE National Service Plan for 2011 includes a commitment to pilot and evaluate an out-of-hours social work component to supplement the EPSS. Two pilot projects are being undertaken, one in Cork and the other in Donegal. The projects involve the provision by local HSE staff of on-site social work support out of hours where deemed necessary by Gardaí. The pilot project in Donegal has commenced operation and the second, in Cork, is due to commence shortly. A decision on progression to a national rollout will be made following evaluation of the two pilot projects and other relevant data. An assessment of the cost of developing the service nationally will also be informed by the pilot process.

Smoking Ban

389. **Deputy Jerry Buttimer** asked the Minister for Health and Children if the Health Service Executive is legally entitled to create a no-smoking ban on the grounds of the Cork University Hospital. [12626/11]

Minister for Health and Children (Deputy James Reilly): Smoking is prohibited in most enclosed workplaces under the Public Health (Tobacco) Act 2002 (as amended). While there is no legal basis to introduce a ban on smoking on the grounds of the Cork University hospital, I would welcome the introduction of such an initiative.

Tobacco control is a key public health issue; according to the World Health Organisation, tobacco is the leading risk factor in premature mortality in the WHO European Region — causing about 1.6 million deaths a year. It is important that the Health Services provide leadership in creating an environment that promotes health in all circumstances.

Child Protection

390. **Deputy Sean Fleming** asked the Minister for Health and Children his policy and that of the health services regarding the appointment of a *guardian ad litem*; and if he will make a statement on the matter. [12638/11]

Minister for Health and Children (Deputy James Reilly): Under the Child Care Act 1991, Guardian Ad Litem provide a service to the Courts, where a judge may request that a Guardian Ad Litem is appointed to a child who is the subject of care proceedings. They are always appointed where a child is subject to a Special Care Order. Further to the commitment in the Ryan Report Implementation Plan, to engage with my colleagues to agree a future policy management and funding of the service, my Department has had preliminary discussions with the Department of Justice and Law Reform.

Child Abuse

391. **Deputy Olivia Mitchell** asked the Minister for Health and Children if he is satisfied,

regarding the transfer of responsibility from the Rape Crisis Network Ireland to the Health Service Executive and that the HSE is capable of providing accurate and effective data collection on the incidence of child sex abuse and rape; if he will provide assurances about the reliability of the method of information collection envisaged; and if he will make a statement on the matter. [12658/11]

Minister for Health and Children (Deputy James Reilly): The HSE has been considering changes in the arrangements for funding organisations that provide domestic, sexual and gender-based violence services, including the Rape Crisis Network Ireland. However, it has been decided to extend the current funding to the Network until 1st August to allow me to review these proposals.

Health Services

392. **Deputy Olivia Mitchell** asked the Minister for Health and Children when an appointment will be arranged in respect of a person (details supplied) in Dublin 16; and if he will make a statement on the matter. [12662/11]

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.

National Lottery Funding

393. **Deputy Dara Murphy** asked the Minister for Health and Children if he will provide details of the amount of funding that has been allocated from the National Lottery Beneficiary Fund since 1998 to projects in the Dáil constituency of Cork North-Central as part of building, equipping and furnishing of health facilities capital expenditure. [12666/11]

Minister for Health and Children (Deputy James Reilly): My Department administers a National Lottery Discretionary Fund from which grants are paid to community and voluntary organisations. The funding available for 2011 is €3,786,000. Prior to 2009, details of all recipients of lottery grants were set out in the Appropriation Account of my Department. Following a decision by the Comptroller and Auditor General, the Appropriation Accounts no longer provide this detail, but require each Department to publish this information. As stated in the Appropriation Accounts for Vote 39, details on the recipients of lottery grants are available on my Department's website at *www.dohc.ie*.

The specific information sought by the Deputy is not routinely collected by my Department and the Deputy will appreciate that the compilation of this information could not be facilitated without undue commitment of staff resources and administrative cost.

However, if the Deputy has a question in relation to a specific project funded through the National Lottery Discretionary Fund, I will make appropriate enquiries, and have the information forwarded to the Deputy.

Hospital Services

394. **Deputy Gerry Adams** asked the Minister for Health and Children when the new centre of excellence for the provision of cancer services will open at St. James's Hospital, Dublin; the number of cancer beds that will be made available; and if he will make a statement on the matter. [12679/11]

Minister for Health and Children (Deputy James Reilly): As the issue raised by the Deputy relates to the delivery of health services, I have asked the Health Service Executive to respond directly to him.

395. **Deputy Gerry Adams** asked the Minister for Health and Children his plans for St. Luke's Hospital, Rathgar Dublin; the way it shall continue to play a role in the provision of cancer services following the implementation of the cancer strategy; and if he will make a statement on the matter. [12680/11]

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). The existing radiotherapy centre at St Luke's, plus two 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 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.

Radiation oncology services will continue at St Luke's until at least 2015, when further radiation oncology capacity will be available at Beaumont and St James's. This decision is based on expert advice and is designed to ensure that radiation oncology is integrated with all other aspects of cancer care, including surgery and medical oncology. It is also in line with best international practice.

In relation to the future use of the St Luke's site I can confirm that the Health (Miscellaneous Provisions) Act 2010 provides for the future use of the site as a health facility and states that the HSE may not sell or dispose of St Luke's or any land on the site, without my consent.

Water Fluoridation

396. **Deputy Billy Timmins** asked the Minister for Health and Children the position regarding mandatory fluoridation of our water schemes (details supplied); and if he will make a statement on the matter. [12693/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): The Forum on Fluoridation, which was established by the Minister for Health and Children in 2000, advised in 2002 that the fluoridation of public piped water supplies should continue as a public health measure. The Irish Expert Body on Fluorides and Health, which was established in 2004, monitors new and emerging issues on fluoride and its effects on health and related matters. The Expert Body advises that the balance of scientific evidence worldwide confirms that water fluoridation, at the optimal level, does not cause any ill effects and continues to be safe and effective in protecting the oral health of all age groups. I have no plans to discontinue the policy of fluoridation of public water supplies, which continues to make an effective contribution to oral health in Ireland.

Medical Cards

397. **Deputy Bernard J. Durkan** asked the Minister for Health and Children if and when a medical card will be issued in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [12697/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Hospital Services

398. **Deputy Seán Kenny** asked the Minister for Health and Children if he plans to provide a cardiac catheterisation laboratory for Beaumont Hospital, Dublin. [12700/11]

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.

Mental Health Services

399. **Deputy Thomas P. Broughan** asked the Minister for Health and Children if Health Service Executive officials will attend a meeting on 23 May 2011 in HSE Swords between the clinical director and local clinicians in north Dublin involved in the care of persons aged 16 and 17 who are psychiatrically unwell; and if he will make a statement on the matter. [12712/11]

400. **Deputy Thomas P. Broughan** asked the Minister for Health and Children if he will review the services available for persons aged 16 and 17 who urgently need psychiatric assessment and care in the north Dublin region in view of the ban on the admission of adolescents into adult wards and further in view of the fact that the Fairview adolescent unit only has six beds; and if he will make a statement on the matter. [12713/11]

401. **Deputy Thomas P. Broughan** asked the Minister for Health and Children if he will consider the creation of youth mental health teams including psychiatrists, psychologists and nurses to address and enhance mental health services for adolescents and young adults; and if he will make a statement on the matter. [12714/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): I propose to take Questions Nos. 399 to 401, inclusive, together.

I understand from the Health Service Executive that the Area Manager attended the meeting in Swords.

This Government is committed to the development of the child and adolescent mental health service. In this regard the Government will reform our model of healthcare delivery so that more care is delivered in the community; access to modern mental health services in the community will therefore be significantly improved. It is proposed to ringfence €35m annually from within the health budget to develop community mental health teams and services to ensure early access to more appropriate services for both adults and children.

It is envisaged that the provision of improved community based services, coupled with an increase in bed capacity, will put an end to the practice of placing children and adolescents in adult psychiatric facilities. There are currently 61 multidisciplinary child and adolescent mental health teams nationally and further teams will be developed in line with the recommendations in *A Vision for Change*. In terms of child and adolescent mental health service infrastructure, currently bed capacity nationally is 52. It is proposed to provide further beds in the Dublin region and in this regard work is due to commence later this year on the second phase of the child and adolescent unit at St. Vincent's Hospital, Fairview which will increase capacity from 6 to 12 beds, and on the development of an 8 bedded facility at St Loman's, Palmerstown. In addition work on the Linn Dara Child and Adolescent Mental Health Day Facility in Cherry Orchard, Dublin is expected to be completed by September 2011. It is anticipated that this facility will provide day care and treatment for children and adolescents with mental health needs and will obviate the need for some admissions.

Hospital Waiting Lists

402. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if his attention has been drawn to long delays in respect of audiology referrals at Waterford Regional Hospital with patients waiting for a minimum of three years; if he will furnish details of the

[Deputy Caoimhghín Ó Caoláin.]

numbers of persons on regional waiting lists; and the action he intends to take to reduce waiting times. [12719/11]

403. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if his attention has been drawn to a case in Waterford in which a six year old patient (details supplied) awaiting an audiology referral at Waterford Regional Hospital and who is in need of a replacement hearing aid is on a three year waiting list and will not receive a new hearing aid pending their audiology referral; and the action he will take to resolve such lengthy waiting times. [12720/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 402 and 403 together.

The HSE published the report of the National Audiology Review Group in April 2011. Work is now underway to improve access and deliver high quality, consistent audiology services around the country.

While the management of waiting lists generally is a matter for the HSE and the individual hospitals concerned, the Special Delivery Unit soon to be set up, will have a major role in addressing this issue. I have, therefore in the interim, referred the Deputy's question to the Executive for reply.

Hospital Services

404. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health and Children if his attention has been drawn to the closure of St. Bridget's Ward at St. Patrick's Hospital, Waterford, by the previous Minister; the commitment to replace the ward with a new geriatric care facility on the grounds of St. Patrick's; if he will confirm that he intends to allocate capital funding to allow for the new facility; and if he will outline a timeframe for its completion. [12721/11]

Minister for Health and Children (Deputy James Reilly): Concerns had been expressed in relation to health and fire safety at St Brigid's, a 19 bed ward, which was the last remaining ward on an upper floor of St Patrick's Hospital, Waterford. As a consequence of these concerns, the HSE decided that it was no longer viable to continue to accommodate residents in the ward and it was closed on a phased basis in 2009. The primary focus of the decision was the care and welfare of each resident.

In view of the closure of St Brigid's, the HSE took steps during 2009, to ensure that there was no reduction in the number of public beds to support older people in Waterford City. Arrangements were made for a total of 30 private nursing home beds to be contracted instead. This was prior to the commencement of the Nursing Homes Support Scheme.

The Executive, at the time of the closure of St Brigid's Ward, did indicate that it would examine the provision of a new 50 bed Community Nursing Unit (CNU) on the grounds of the hospital. Such a construction project would require capital funding and the HSE must prioritise all capital infrastructure projects nationally within its overall capital funding allocation.

The Prospectus Report which was prepared for the HSE in 2008 assessed the provision of nursing home places across the country and the need for additional places to meet demographic change. The Report found that there were sufficient places in Waterford at that time and additional places would not be needed before 2013.

My Department is currently engaged with the HSE in planning the provision of long-term care places, taking account of both public and private nursing home provision. This will give

further consideration to the Prospectus Report recommendations and the requirements to upgrade facilities to meet the standards for nursing homes.

National Lottery Funding

405. **Deputy Sean Fleming** asked the Minister for Health and Children if he will outline separately in each of the past five years the amount received by his Department in respect of national lottery funding; the grants approved by him; the amounts actually paid out by him; the position regarding the balance yet to be paid out; and if he will make a statement on the matter. [12722/11]

Minister for Health and Children (Deputy James Reilly): My Department administers a National Lottery Discretionary Fund from which grants are paid to community and voluntary organisations. The total amounts published in the Revised Estimates Volume (REV) in each of the past five years are set out as follows. The funding available for 2011 is €3,786,000. The total amount paid to organisations to date from this year's Lottery allocation is €1,007,160 leaving €2,778,240 remaining, of which some €400,000 is at an advanced stage of finalisation. There are 350 applications currently in the process of being assessed.

National Lottery Allocations — REV (DoHC)

2011 €3.786m (of which €1.007m paid to date)

2010 €3.786m

2009 €3.985m

2008 €2.985m

2007 €3.903m

Regarding the detail of individual grants made over the last five years, details for 2009 and 2010 are published on my Department's website (www.dohc.ie). The details for previous years are published as an Appendix to my Department's Appropriation Account for that year which is published by the Office of the Comptroller and Auditor General.

Finally, the HSE is also in receipt of National Lottery funding and makes grants available from this source to local voluntary organisations and other organisations. I am not directly involved in decisions regarding these grants, which are determined locally/regionally within the HSE. I have requested the HSE to compile this information and make it available to the Deputy.

The REV provisions for the HSE over the last five years are as follows.

National Lottery Allocations — REV (HSE)

2011 €7.513m

2010 €7.513m

2009 €7.513m

2008 €7.513m

2007 €7.358m

Hospital Services

406. **Deputy Robert Troy** asked the Minister for Health and Children the services provided by the Midlands Regional Hospital, Mullingar, County Westmeath; his proposals for its future; and if he will make a statement on the matter. [12730/11]

407. **Deputy Robert Troy** asked the Minister for Health and Children if he will review a recent decision to close the post mortem facilities at the Midlands Regional Hospital, Mullingar, County Westmeath in view of the fact that there is insufficient capacity in Tullamore, County Offaly, to service both counties; and if he will make a statement on the matter. [12731/11]

Minister for Health and Children (Deputy James Reilly): I propose to take Questions Nos. 406 and 407 together.

As these are service matters, they have been referred to the Health Service Executive for direct reply.

Health Service Staff

408. **Deputy Robert Troy** asked the Minister for Health and Children if he will provide a breakdown of the number of permanent nurses who have retired in 2010 and to date in 2011; and the number of agency nurses employed during the same period. [12732/11]

Minister for Health and Children (Deputy James Reilly): The Health Service Executive has advised my Department that the number of nurses who retired in 2010 is 985. A further 95 nurses retired in the first quarter of 2011. These figures are based on the latest reconciled HSE National Pensions Management Retirement Benefits payments information for 2010 and quarter one of 2011. The Executive has further advised that there may still be a small number of 2010 nursing retirement benefits yet to be finalised and notified to the National Pensions Management Unit for payment.

In relation to the number of agency nurses employed during the same period, the Executive has advised that, prior to the introduction of a new agency contract in March 2011, its annual usage of agency nurses was approximately 1000 whole-time equivalents.

Hospital Waiting Lists

409. **Deputy Ciarán Lynch** asked the Minister for Health and Children when a person (details supplied) in County Cork will be admitted to Beaumont Hospital, Dublin 9; and if he will make a statement on the matter. [12734/11]

Minister for Health and Children (Deputy James Reilly): The management of waiting lists generally is a matter for the HSE and the individual hospitals concerned, I have, therefore, referred the Deputy's question to the Executive for reply.

It is Government policy that a Special Delivery Unit (SDU) will be established to tackle the issue of waiting lists. I intend to establish that unit in the very near future.

Health Service Staff

410. **Deputy Noel Grealish** asked the Minister for Health and Children if a person (details supplied) who was employed by the Health Service Executive west as a nurse was justifiably dismissed from their post; if the person will be re-instated; and if he will make a statement on the matter. [12736/11]

Minister for Health and Children (Deputy James Reilly): As this is a service matter it has been referred to the Health Service Executive for direct reply.

Disabled Drivers

411. **Deputy Sean Fleming** asked the Minister for Health and Children the reason a person (details supplied) in County Offaly, who is an amputee with severe medical difficulties, was

refused the disabled drivers and passengers scheme; and if he will make a statement on the matter. [12744/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): 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.

Cancer Incidence

412. **Deputy Michael McGrath** asked the Minister for Health and Children if he will provide details of the planned review by the Chief Medical Officer, Dr. Tony Holohan, of the incidence of cancer in the Cobh area as recorded by the National Cancer Registry; and if he will extend this review to include other specific locations (details supplied) in County Cork. [12745/11]

Minister for Health and Children (Deputy James Reilly): In 2008, the Minister for the Environment, Heritage and Local Government commissioned an independent report on the site conditions at Haulbowline. The assessment involved analysis of soil, slag, dust, surface and ground water samples for all likely contaminants to determine if there was a threat to human health or the environment and to assist in securing the site from a health and safety perspective pending the Government's decision as to its future use.

The report was published in late 2008 and, based on the monitoring works undertaken, concluded that there were no identified risks to the residential inhabitants of Cork Harbour associated with the presence of waste materials at the East Tip on Haulbowline Island. In the light of this finding, the then Minister for Health and Children confirmed that it was not proposed to conduct a baseline health survey for the Cork Harbour region.

The Department of Environment, Heritage and Local Government continues to oversee an annual Dust Impact Assessment Report in relation to the Haulbowline site. The 2010 report, published in March 2011, stated that "overall it can be concluded that the site activities on the former Irish Steelworks Site at Haulbowline, Cobh, is having no significant impact on the receiving environment in terms of fugitive dust emissions".

I visited Cork on 29 April 2011 and during my visit the matter of the Haulbowline site was raised directly with me. Following on from this, and bearing in mind the extensive nature of the investigations undertaken to date, I have asked the Chief Medical Officer of my Department to advise me if the matter should be investigated further. It is expected the Chief Medical Officer's consideration of this matter will be completed within a period of 4-6 weeks.

Ambulance Service

413. **Deputy Michael Creed** asked the Minister for Health and Children further to Parliamentary Question No. 507 of 17 May 2011, the impact on the ambulance service of the introduction of a universal health insurance market; and if he will make a statement on the matter. [12761/11]

Minister for Health and Children (Deputy James Reilly): The National Ambulance Service (NAS) provides pre-hospital emergency care and emergency and some non-emergency patient transport.

Supported by my Department and by HIQA, the NAS is working to improve the management and integration of its services. This includes a reduction to two ambulance control centres nationally, with appropriate technology, a clinical lead for pre-hospital care, development and implementation of new performance indicators for pre-hospital care and development of standard national criteria in relation to non-emergency patient transport.

[Deputy James Reilly.]

The NAS has undergone significant change in order to ensure quality, safety and value for money. In line with other clinical areas, this process is ongoing as clinical needs and standards develop. I believe that these developments are in the best interests of patients, and that they are a key part of the Government's work to ensure high quality emergency care.

A system of Universal Health Insurance (UHI) will be introduced by 2016, with the legislative and organisational groundwork for the system complete within the term of this Government.

Under UHI, an Exchequer-funded Hospital Insurance Fund will provide direct payments to hospitals for services not covered by insurance, such as emergency care, and will also control those health care costs for which central control is most effective. A White Paper on Financing UHI will be published early in the Government's first term and will review cost-effective pricing and funding mechanisms.

The introduction of UHI is a challenging and complex task and it will not be achieved overnight. I expect that the NAS will play a key role in the transformation of service delivery that will be required as the process evolves.

Health Insurance

414. **Deputy Catherine Byrne** asked the Minister for Health and Children the number of persons over the age of 60 years in the VHI; the percentage of their custom this represents; and if he will make a statement on the matter. [12774/11]

Minister for Health and Children (Deputy James Reilly): At December 2010 VHI Healthcare had 280,000 customers over the age of 60 which represented 21% of its membership at that time.

I have recently agreed to the appointment of financial and legal advisors to make recommendations on options to address the current imbalance in the private health insurance market. The advisors have been invited to consider all options — including, but not limited to, a break-up of the VHI.

Departmental Bodies

415. **Deputy Dominic Hannigan** asked the Minister for Health and Children if he will provide a breakdown of all moneys paid by the Irish Blood Transfusion Board to IBEC in the years 2007, 2008, 2009 and 2010; and if he will make a statement on the matter. [12790/11]

Minister for Health and Children (Deputy James Reilly): The following is a breakdown of the monies paid to IBEC by the Irish Blood Transfusion Service. The payments for training were made for a specific Training and Development Programme which was awarded to IBEC following a public competition.

	2007	2008	2009	2010
	€	€	€	€
Subscription	23,569.52	25,313.40	26,552.36	24,693.92
Training	35,059.49	117,965.73	107,039.07	34,808.19
Total Paid	58,629.01	143,279.13	133,591.43	59,502.11

Hospital Services

416. **Deputy John McGuinness** asked the Minister for Health and Children if an early appointment for an operation will be arranged at Kilcreene Hospital, Kilkenny, in respect of a person (details supplied) in County Kilkenny; and if the matter will be expedited. [12797/11]

Minister for Health and Children (Deputy James Reilly): While the management of waiting lists generally is a matter for the HSE and the individual hospitals concerned, the Special Delivery Unit soon to be set up, will have a major role in addressing this issue. I have, therefore in the interim, referred the Deputy's question to the Executive for reply.

417. **Deputy John McGuinness** asked the Minister for Health and Children further to Parliamentary Question No. 156 of 15 April 2011, if he will now insist on an early appointment with a consultant followed by the appropriate treatment or procedure in view of the fact that they have had an MRI scan done; if they will qualify under the National Treatment Purchase Fund; and if he will expedite the matter. [12798/11]

Minister for Health and Children (Deputy James Reilly): While the management of waiting lists generally is a matter for the HSE and the individual hospitals concerned, the Special Delivery Unit soon to be set up, will have a major role in addressing this issue. I have, therefore in the interim, referred the Deputy's question to the Executive for reply.

The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved.

Subject to the resources available to it, the National Treatment Purchase Fund may arrange treatment for patients who have been on a surgical waiting list for more than three months. It is open to the person in question or anyone acting on their behalf to contact the Fund directly in relation to their case.

Preschool Services

418. **Deputy Regina Doherty** asked the Minister for Health and Children if he will review an application in respect of a person (details supplied) in County Meath for an additional year under the early childhood care and education scheme; and if he will make a statement on the matter. [12799/11]

Minister for Health and Children (Deputy James Reilly): The free Pre-School Year in Early Childhood Care and Education (ECCE) programme was introduced in January 2010 as a universal programme to provide children with a free pre-school year, normally in the year before they commence primary school.

There is no entitlement under the ECCE programme for a second year of free pre-school provision. Where a child has special needs, his or her parents can apply to have the pre-school year split over two years on a pro-rata basis, for example availing of the scheme for 2 days a week in the first year and for 3 days a week in the second year. However, I understand that the pro-rata option has not been availed of in the case referred to by the Deputy and the child in question will have availed of the full free pre-school provision at the end of this academic year.

419. **Deputy Regina Doherty** asked the Minister for Health and Children if he will review an application in respect of a person (details supplied) in County Meath for an additional year

[Deputy Regina Doherty.]

under the early childhood care and education scheme; and if he will make a statement on the matter. [12800/11]

Minister for Health and Children (Deputy James Reilly): The free Pre-School Year in Early Childhood Care and Education (ECCE) programme was introduced in January 2010 as a universal programme to provide children with a free pre-school year, normally in the year before they commence primary school.

There is no entitlement under the ECCE programme for a second year of free pre-school provision. Where a child has special needs, his or her parents can apply to have the pre-school year split over two years on a pro-rata basis, for example availing of the scheme for 2 days a week in the first year and for 3 days a week in the second year. However, I understand that the pro-rata option has not been availed of in the case referred to by the Deputy and the child in question will have availed of the full free pre-school provision at the end of this academic year.

National Lottery Funding

420. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an application for National Lottery funding by an organisation (details supplied). [12803/11]

Minister for Health and Children (Deputy James Reilly): My Department has received an application for funding from the 2011 National Lottery allocation from the organisation in question. This is one of a large number currently being assessed by my Department, and the Deputy will be informed of the outcome of the application as soon as a decision has been made.

Food Labelling

421. **Deputy Eric Byrne** asked the Minister for Health and Children his plans to update the system of food labelling currently in use here to display clearly when products reach their use by date as opposed to only the best before date in view of the fact that the best before date is simply a guide to food quality as opposed to food safety; and if he will commit to issuing guidelines to retailers to highlight this difference. [12445/11]

Minister for Health and Children (Deputy James Reilly): The labelling of prepackaged food is currently governed by Council Directive 2000/13/EC, transposed in 2002, with several amendments since. The principle underlying this Directive is that the purchaser must not be misled and it has helped to ensure that the consumer is provided with the information required to make healthy consumption choices.

These regulations include a provision which requires that prepackaged foods carry a date of minimum durability on the label. The date of minimum durability is defined as the date until which a foodstuff retains its specific properties when properly stored. The current rules on date of minimum durability permit the Food Business Operator to use either a 'best-before' date (the date up until which the foodstuff can reasonably be expected to retain its optimum condition) or a 'use-by' date (the date on which perishable foods are likely to constitute an immediate danger to human health).

In January 2008, the European Commission presented a proposed Regulation aimed at updating and harmonising existing labelling legislation. The proposal is primarily about providing consumers with improved information on such areas as Country of Origin, Allergens and Nutrition Labelling.

This Department submitted a position paper to the commission in 2008 and, since then, has contributed to EU Working Group meetings, ensuring that the Irish position is taken into account. The European Parliament and the Council completed their first readings during 2010. A second reading will be voted on the 4-7 July this year by the European Parliament.

The Food Safety Authority of Ireland highlighted the rules regarding “minimum durability” dates in guidelines published in 2003. These guidelines on general labelling have been updated on a ongoing basis (most recently in 2010). The Authority will issue updated guidelines to all Food Business Operators of any further changes to labelling legislation. It is likely that the rules in the proposed EU Labelling Regulation regarding “minimum durability” will remain similar to those in Directive 2000/13/EC.

Health Services

422. **Deputy Paul J. Connaughton** asked the Minister for Health and Children when a person (details supplied) in County Galway will have their teeth cleaned in view of the fact that they hold a medical card; and if he will make a statement on the matter. [12815/11]

Minister of State at the Department of Health and Children (Deputy Róisín Shortall): As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

Health Service Properties

423. **Deputy Jim Daly** asked the Minister for Health and Children the property portfolio currently leased by the Health Service Executive in Bandon, County Cork; the location of same; the services carried out at each location; and if he will make a statement on the matter. [12821/11]

Minister for Health and Children (Deputy James Reilly): Management of the Health Service Executive property portfolio is a service matter. Therefore, your question has been referred to the Executive for direct reply.

Questions Nos. 424 and 425 answered with Question No. 356.

Services for People with Disabilities

426. **Deputy Aengus Ó Snodaigh** asked the Minister for Health and Children the month he expects the review of the efficiency and effectiveness of disability services funded from the health vote to be finalised and published. [12851/11]

Minister of State at the Department of Health and Children (Deputy Kathleen Lynch): My Department is engaged in a Value for Money and Policy Review of Disability Services as part of the Government’s Value for Money Reviews for 2009-2011. This in-depth review will assess how well current services for people with disabilities are meeting their objectives and support the future planning and development of services within the appropriate policy framework.

The objectives of the Review are to:

Examine disability services in Ireland funded by the HSE, including the statutory and non-statutory sectors.

Deliver a comprehensive analysis of data in relation to services and service providers.

Review current policy objectives and provide policy objectives for future service provision.

[Deputy Kathleen Lynch.]

Based on current estimates of the work remaining to complete the review, I expect the report to be finalised in November, 2011 after which it will be submitted to the Government for its consideration and publication in due course.

Road Signage

427. **Deputy David Stanton** asked the Minister for Transport, Tourism and Sport the guidelines and protocols that he has issued to local authorities in respect of the provision of road safety signs and markings in the vicinity of schools; and if he will make a statement on the matter. [12764/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The new Traffic Signs Manual was published in January of this year. The Traffic Signs Manual constitutes a direction given to road authorities under section 95(16) of the Road Traffic Act 1961 in relation to the provision of traffic signs, other than regulatory signs.

The Traffic Signs Manual provides details of the traffic signs which may be used on roads in Ireland, including their layout and symbols, the circumstances in which each sign may be used and the rules for positioning them.

The Traffic Signs Manual is available on my Department's website. Chapter 6 of the manual is titled "Warning Signs" and I refer the Deputy to Paragraph 6.17.5, which provides details of a safety sign to warn of the likelihood of encountering children on the road. This sign should be used where it is necessary, to warn that children will be crossing to go to a school or to a playground. Such signs may be supplemented by Flashing Amber Signals where it is deemed to be appropriate.

The markings which may be used outside schools are shown in Figure 7.26 of the Manual.

The options is also available to Road Authorities to provide Special Speed Limits in the vicinity of schools, including periodic speed limits which can be designed to apply and operate when children are arriving at and leaving a school. Advice on the use of such signs and on the options for combining warning and speed limit signs onto a single backing board are outlined in Paragraphs 5.16.22 to 5.16.28 of the Manual.

Road Safety

428. **Deputy Jonathan O'Brien** asked the Minister for Transport, Tourism and Sport his plans to introduce roadside drug testing; and if he will make a statement on the matter. [11871/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As yet, there is still no feasible basis for the introduction of a preliminary roadside test for drugs in Ireland or in Europe. Testing devices are still in the prototype stages, but the Medical Bureau of Road Safety will be keeping abreast of developments in this area.

In the interim, section 11 of the 2010 Road Traffic Act, provides for preliminary impairment testing. This provision will assist Gardaí in forming the opinion that a driver is under the influence of an intoxicant to such an extent as to be incapable of having proper control of the vehicle. The Medical Bureau of Road Safety, in association with the School of Medicine UCD, has commenced the training of Garda trainers in the use of such impairment testing and I intend to commence Section 11 later this year.

Road Haulage Licences

429. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the

costs that hauliers are obliged to pay in Ireland in tabular form; his plans to ease the financial burden on hauliers; and if he will make a statement on the matter. [12324/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Road haulage operators that provide services for hire and reward require a licence from my Department, the costs of which are set out in the Table. The licences, valid for 5 years, ensure certain standards related to the access of hauliers to both national and international markets and I have no plans to reduce the fees.

	National Road Haulage Operator's Licence	International Road Haulage Operator's Licence
Application fee	€69.84 plus €95.23 for every vehicle to be authorised on the licence	€69.84 plus €228.55 for every vehicle to be authorised on the licence
Fee to add vehicles	€16.51 for each 6-month period left on the licence, up to a maximum of €95.23	€22.86 for each 6-month period left on the licence, up to a maximum of €228.55

As is the case with other vehicles and drivers, hauliers also have costs in relation to matters such as driver and vehicle testing, driver licences, vehicle registration, tolls on certain roads, vehicle maintenance and fuel costs.

Trade Missions

430. **Deputy Seán Ó Fearghaíl** asked the Minister for Transport, Tourism and Sport the number of international trade missions he has undertaken since taking office; the precise missions he intends to participate in during the remainder of 2011; and if he will make a statement on the matter. [12346/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I have not undertaken any trade missions since I was appointed Minister for Transport, Tourism and Sport in March. However, while I was representing the Government at St. Patrick's Day events in India, I had a number of meetings which were focused on improving trade and tourism links between our countries.

I will consider any invitations to participate in trade missions as and when they arise.

Driving Tests

431. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport if he will end the requirement which states that farmers should sit a trailer towing driving test; if he will ensure that licences are re-instated for farmers who previously had such a licence; and if he will make a statement on the matter. [12378/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Before 1989, the driver licensing system permitted a car and trailer to be driven under the car licence alone. Licence categories were then changed, and separate licence categories henceforth covered car (Category B) and cars and trailers (Categories EB). Those who had the entitlement before 1989 were entitled to keep their old entitlements. When renewing their licences, however, they were required to tick the appropriate box on the application form. In cases where a pre-1989 licence holder did not tick the box they would no longer retain that entitlement. However, the entitlement could be restored up to ten years after last holding it.

I understand that this issue may be arising at this time because there is, quite properly, stricter enforcement on licence holders. I believe it is of the utmost importance from a safety

[Deputy Leo Varadkar.]

perspective that people are properly qualified and licensed to drive the vehicles they have charge of on our roads, and I have no plans to change the rules in this regard.

Public Transport

432. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if the information office at Killarney bus station, County Kerry, will be kept opened on a seven day basis, due to Killarney strategic importance as a tourism centre; and if he will make a statement on the matter. [12392/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The issue raised is a matter for Bus Éireann. 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.

Tourism Promotion

433. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport the opening and staff arrangements for tourism information offices in County Mayo for 2011; the number of staff in each office; and if he will make a statement on the matter. [12461/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matter raised is an operational one 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.

Sport and Recreational Development

434. **Deputy Frank Feighan** asked the Minister for Transport, Tourism and Sport the reason that darts cannot be considered a sport under the ISC Act 1999 which defines sport as all forms of physical activity through casual or organised participation with the aim of expressing physical fitness and mental well being and in forming social relationships or obtaining results in competitions when this is historically recognised in the UK and Europe as a sport for up to a century and which in the current year 2011 is attracting 40 countries to participate in the World Cup Tournament in Castlebar, County Mayo; and if he will investigate the way this sport of darts cannot be fully considered a sport in any terms of the word. [12479/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The Irish Sports Council (ISC), which is funded by my Department, is the statutory body responsible for the promotion, development and coordination of sport which includes statutory responsibility for the recognition of sporting organisations as National Governing Bodies of sport and allocation of funding to same.

The ISC was established on a statutory basis on 1st July, 1999, and the functions of the Council are outlined in Section 6 of the Irish Sports Council Act 1999. This includes recognition, for purposes of funding or for any other reason, of any sporting or recreational activity, including dealing with sporting organisations and allocation of funding to same. Therefore this is a matter for the Irish Sports Council. I have referred the question to them for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten days.

Sports Funding

435. **Deputy Tom Fleming** asked the Minister for Transport, Tourism and Sport if he will

provide assistance to a group (details supplied) under the dormant account scheme or any other scheme that may be available. [12503/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): My Department does not provide funding assistance under the Dormant Account Scheme or any other funding scheme that would be appropriate to the specialist services engaged in by the group mentioned.

I understand that the Dormant Account Fund Disbursements Board is under the remit of the Department for the Environment, Community and Local Government and I will forward the Question to my colleague, the Minister for the Environment, Community and Local Government, for direct reply to the Deputy.

Taxi Regulation

436. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the amount of financial surplus the Office of the Taxi Regulator had at the end of the last fiscal year in view of media reports of a surplus of €20 million in October 2010; the use to which this surplus was put when the Office of the Taxi Regulator was dissolved on 1 January 2010 and was subsumed into the National Transport Authority; his plans to use this surplus to improve taxi ranks or the services provided to those working in the taxi industry; if he will allow the taxi regulation directorate to subsidise drivers upgrading their vehicles to make them wheelchair accessible with the fee surplus as was requested by the regulator in 2007; and if he will make a statement on the matter. [12504/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): With effect from 1st January 2011, the former Commission for Taxi Regulation (CTR) was subsumed into the National Transport Authority (NTA).

I understand that the accumulated surplus of the CTR at the end of 2010 was approximately €20m. The use of income from fees set in respect of the licensing of small public service vehicles is a matter, in the first instance, for the NTA in accordance with section 50 of the Taxi Regulation Act 2003.

The NTA announced on 13 May 2011 that it was introducing a wheelchair accessible vehicle grant scheme from September this year to include grants for conversion of qualifying existing vehicles and grants for new applicants for wheelchair accessible vehicle licences. Details of the grant scheme are available on the NTA website (www.nationaltransport.ie) — the scheme will be funded mainly from exchequer funds allocated to the NTA. If funds are available in 2012, the NTA has stated its intention to continue the scheme and will advise on this in late December 2011.

437. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport if he intends to ask the taxi regulation directorate of the National Transport Authority to introduce a moratorium on the issuing of new taxi licences in view of the oversupply of licences in the market preventing full time taxi drivers from making a sustainable living; and if he will make a statement on the matter. [12505/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The Taxi Regulation Act, 2003, does not provide for the introduction of a moratorium on the issue of new taxi licences. Among other things, the National Transport Authority (NTA) has the statutory objective of promoting the provision and maintenance of quality services by small public service vehicles and their drivers.

[Deputy Alan Kelly.]

Last week, I confirmed that a full scale review of the taxi industry would be undertaken, in line with the commitment in the Programme for Government. The Terms of Reference of the the review is to be decided shortly and will be based on broad stakeholder consultation to include the taxi sector and the interest of consumers.

Departmental Investigations

438. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport when any of the investigations into the Luas and Dublin Bus crash that occurred on 16 September 2009 will report; and if he will make a statement on the matter. [12506/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I understand from the Railway Accident Investigation Unit (RAIU) that the Unit is not at present in a position to indicate a date of publication of the report of its investigation of the LUAS and Dublin Bus crash that occurred on 16 September 2009.

Taxi Regulation

439. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport following the creation of the taxi regulation directorate in the National Transport Authority following the dissolution of the Commission for Taxi Regulation on the 1 January 2011, the duties of the Taxi Regulator now that the board of the National Transport Authority decides the key taxi regulation decisions; if all the staff of the regulator were subsumed into the NTA; the services being provided by the NTA from the revenue collected from the taxi industry; and if he will make a statement on the matter. [12511/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): Upon the dissolution of the Commission for Taxi Regulation (CTR) on 1 January 2011, all the regulatory functions provided for under section 9 of the Taxi Regulation Act, 2003 were transferred to the National Transport Authority (NTA). The Taxi Regulation Directorate of the NTA administers these functions.

All former staff of the CTR were transferred to and became employees of the NTA with effect from the 1 January last in accordance with Section 39 of the Public Transport Regulation Act 2009. The services and functions of the Taxi Regulation Directorate of the NTA, including the power to set fees, remain as set out in the Taxi Regulation Act 2003.

440. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport the number of inspections performed by the Commission for Taxi Regulation in 2010 to ascertain whether the person operating the taxi on the street was the actual licensee; the number of inspections of this that have been performed by the taxi regulation directorate since 1 January 2011; and if he will make a statement on the matter. [12513/11]

447. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport his views on whether the compliance officers attached to the Office of the Taxi Regulator require additional powers to adequately monitor and enforce standards and regulations in the taxi sector; his plans regarding legislation on same; and if he will make a statement on the matter. [12749/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): I propose to take Questions Nos. 440 and 447 together.

The regulation of the taxi industry is a matter for the National Transport Authority (NTA). Inspection and enforcement are also the responsibility of the NTA in cooperation with An Garda Síochána.

NTA compliance officers have extensive enforcement powers as authorised officers under section 49 of the Taxi Regulation Act 2003. However the question of any additional powers that may be necessary can be examined as part of the forthcoming full-scale review of the taxi sector to be carried out in accordance with the commitment in the Programme for Government.

I have referred the Deputy's Question to the NTA on the number of inspections carried out for direct reply. Please advise my Office if you do not receive a reply within ten working days

Tourism Promotion

441. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will review the process by which Fáilte Ireland retail centres sell products on their shelves in order to provide local producers of quality produce easier access to sell their goods; and if he will make a statement on the matter. [12556/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The matter raised is an operational one 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.

National Car Test

442. **Deputy Jerry Buttimer** asked the Minister for Transport, Tourism and Sport his plans to make changes to the national car test process in view of a recent television programme (details supplied). [12625/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): Under the Road Safety Authority Act 2006 (Conferral of Functions) Order 2006 (S.I. No. 477 of 2006) the Road Safety Authority has responsibility for the delivery of the National Car Test.

The RSA has overall responsibility for the operation, oversight, development, quality assurance and delivery of vehicle testing arrangements. The testing function is carried out by Applus, since January 2010, under a contractual arrangement with the RSA.

The responsibility for the operation and delivery of the NCTS lies solely with the Applus. However, the RSA exercises a supervisory role to ensure the service is provided in line with the conditions of the contract. In order to assist the RSA in carrying out this supervisory role, the RSA has appointed a contractor to carry out certain supervisory services on its behalf. These relate to monitoring the achievement of the performance and acceptable standards by Applus, and reporting regularly to the RSA. This service is currently provided by a consortium made up of Price Waterhouse Coopers and the Automobile Association.

The RSA continuously monitors Applus performance and has regular meetings with them to ensure compliance with contract requirements.

The RSA has met with Applus and the Garda Síochána to deal with the issues and corrupt activities highlighted by the recent Prime Time programme and to identify the appropriate action to be taken.

I have requested the RSA to keep me fully informed of any developments on this matter.

Sports Capital Programme

443. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport the amount applied for, approved for and drawn down by an organisation (details supplied) in County Laois under the sports capital programme for each of the past five years; and if he will make a statement on the matter. [12644/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The organisation referred to by the Deputy has received 3 allocations under the Sports Capital Programme.

In 2004, the grantee sought €66,300 and was allocated €55,000. This funding was drawn down in 2004 and 2005.

In 2006, the grantee sought €128,571 and was allocated €80,000. This funding was drawn down between 2007 and 2010.

In 2007, the grantee sought €225,400 and was allocated €50,000. This funding was drawn down in 2010.

The grantee also applied for €175,300 in funding in 2008 but was unsuccessful.

National Lottery Funding

444. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport if he will outline separately in each of the past five years the amount received by his Department in respect of national lottery funding; the grants approved by him and the amounts actually paid out; the position regarding the balance yet to be paid out; and if he will make a statement on the matter. [12645/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): It is presumed that the Deputy is referring to the Sports Capital Programme. The allocation of the proceeds of the National Lottery is a matter for the Minister for Finance.

Under the Sports Capital Programme, which is administered by the Department of Transport, Tourism and Sport, and part funded from the proceeds of the National Lottery, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The information requested by the Deputy is set out in tabular form.

Year	Estimates amount	New Allocations made	Payments made*
	€000	€000	€000
2006	67,724	91,836	60,053
2007	63,192	85,000	63,724
2008	58,000	50,250	60,137
2009	56,000	2,400	58,738
2010	48,000	12,933	50,042

*In some years the total payments made exceeded the Estimates provision. This was because of virements of savings from other subheads to the Sports Capital subhead.

At the beginning of this year, there was a balance of €77.5m remaining to be paid out in regard to previous allocations. This compares to a figure of €191m at the end of 2007.

445. **Deputy Dara Murphy** asked the Minister for Transport, Tourism and Sport if he will provide details in relation to the amount of funding that has been allocated from the national

lottery beneficiary fund since 1998 to projects in the Dáil constituency of Cork North-Central under the development of sport and recreational sports facilities scheme. [12665/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): Since 1998, €64,088,310 has been allocated to sports clubs and projects in County Cork under the Sports Capital Programme, which is part funded from the proceeds of the National Lottery. The Sports Capital Unit does not maintain records on the basis of Dáil constituency.

Sports Funding

446. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the streams of funding available for international sporting events here; and if he will make a statement on the matter. [12676/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The matter raised is an operational one for Fáilte Ireland and the Irish Sports Council. I have referred the Deputy's Question to the agencies for direct reply. Please advise my private office if you do not receive a reply from each within ten working days.

Question No. 447 answered with Question No. 440.

State Bodies

448. **Deputy John O'Mahony** asked the Minister for Transport, Tourism and Sport the number of solicitors from the Road Safety Authority panel that have been assigned work since it was set up; and if he will make a statement on the matter. [12750/11]

449. **Deputy John O'Mahony** asked the Minister for Transport, Tourism and Sport the names of the solicitors appointed to the Road Safety Authority panel; and if he will make a statement on the matter. [12751/11]

450. **Deputy John O'Mahony** asked the Minister for Transport, Tourism and Sport the number of solicitors, appointed to the panel of the Road Safety Authority to carry out work on its behalf; and if he will make a statement on the matter. [12752/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I propose to take Questions Nos. 448 to 450, inclusive, together.

The appointment of solicitors to a panel to carry out work on its behalf is a matter for the Road Safety Authority (RSA) .

I have referred your questions to the RSA for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten days.

Taxi Regulation

451. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport if the gardaí or the National Transport Authority has briefed him on the number of taxi plate owners who do not have a public service vehicle driver's licence; and if he will make a statement on the matter. [12754/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The vetting of applicants for small public service vehicles (SPSV) driver licences and the issue of such licences is currently the responsibility of An Garda Síochána.

[Deputy Alan Kelly.]

Current obligations on taxi vehicle licence holders is a matter for the NTA and I have referred your Question to the NTA for direct reply. Please notify my Office if you do not receive a reply with ten working days.

I should add that a full-scale review of the taxi sector is to be undertaken in line with the commitment in the Programme for Government. I expect that potential abuses associated with the leasing and renting of taxi vehicle licences to third parties will form part of the review. The Terms of Reference for the review will be announced shortly and will provide for consultation with stakeholders including the taxi sector as well as the interest of consumers.

Sports Funding

452. **Deputy Michael Healy-Rae** asked the Minister for Transport, Tourism and Sport the position regarding funding for all weather facilities in respect of a club (details supplied) in County Kerry; and if he will make a statement on the matter. [12781/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): The club referred to by the Deputy has received six allocations under the Sports Capital Programme totalling €298,092. All of this funding has been drawn down.

No decision has been made on the timing of the next round of the Programme.

Taxi Regulation

453. **Deputy James Bannon** asked the Minister for Transport, Tourism and Sport the measures that can be taken to enforce the prominent display of identification photo and details by drivers in taxis; and if he will make a statement on the matter. [12788/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly): The regulation of the taxi industry, including the enforcement of driver identification display in taxis, is a matter for the National Transport Authority (NTA). I have referred the Deputy's Question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten days.

Sports Capital Programme

454. **Deputy Barry Cowen** asked the Minister for Transport, Tourism and Sport the funding available under the sports capital programme in 2011; if there will be a new round of the programme this year; when it will begin and when applications will be accepted. [12850/11]

Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring): While no new round of the Programme has been advertised since 2008 the Programme is still very active with €33m being provided in the Estimates to fund the programme for 2011. No decision has been made about the timing of further rounds of the Programme.