



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Déardaoin, 16 Meitheamh 2011.

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DÁIL ÉIREANN

Déardaoin, 16 Meitheamh 2011.
Thursday, 16 June 2011.

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

Paidir.

Prayer.

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 two notices under Standing Order 32.

Deputy Anne Ferris: I wish to seek the adjournment of the Dáil under Standing Order 32 to discuss an issue of national importance. This relates to the announcement yesterday by the Health Service Executive to end the 24-hour emergency accident and emergency service in St. Columcille's Hospital, Loughlinstown, County Dublin, together with proposals by the HSE to make changes in the services provided in eight other hospitals around the country. In the case of Loughlinstown hospital, people living in my constituency of County Wicklow will be forced to go all the way to St. Vincent's Hospital in Dublin to receive emergency treatment and this could potentially be a matter of life and death. The business of the Dáil should be adjourned to discuss this vital issue.

Deputy Seamus Healy: I wish to seek the adjournment of the Dáil under Standing Order 32 to raise a matter of public interest requiring urgent attention, namely the need for the Government and the Industrial Development Agency to source urgently a replacement industry for Cashel, County Tipperary, following the announcement yesterday of the closure of the Johnson & Johnson plant in the town with the loss of 133 direct jobs and 80 catering and security support jobs. This is a major blow to the town, which already has over 1,200 unemployed. I ask the Minister for Jobs, Enterprise and Innovation to make a statement on the matter.

An Ceann Comhairle: Having considered the matters raised they are not in order.

Order of Business

The Tánaiste: It is proposed to take No. a9, motion re discharge of orders and referral of Bills to select committees; and No. 13, Social Welfare and Pensions Bill 2011 — Committee Stage (resumed) and Remaining Stages. It is proposed, notwithstanding anything in Standing Orders, that the Dáil shall sit later than 4.45 p.m. and business shall be interrupted on the conclusion of Question Time, which shall be taken for 75 minutes on the conclusion of No. 29, and in the event of a Private Notice Question being allowed, it shall be taken after 45 minutes, and the order shall not resume thereafter; No. a9 shall be decided without debate; the resumed Committee and Remaining Stages of No. 13 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 1.30 p.m. by one question

[The Tánaiste.]

which shall be put from the Chair and which shall, in regard to amendments, include only those set down or accepted by the Minister for Social Protection. Private Members' Business shall be No. 29, motion re water and sewerage services, to be taken on the conclusion of No. 13 and it shall, if not previously concluded, be brought to a conclusion after three hours.

An Ceann Comhairle: There are three proposals to be put to the House. Is the proposal that the Dáil shall sit later than 4.45 p.m. agreed to? Agreed. Is the proposal for dealing with No. a9, motion re discharge of orders and referral of Bills to select committees without debate agreed to? Agreed. Is the proposal for dealing with No. 13, Committee and Remaining Stages of the Social Welfare and Pensions Bill 2011, agreed to?

Deputy Aengus Ó Snodaigh: It is not agreed. I fundamentally oppose guillotines and the progress made on this Bill last night suggests there is no need for a guillotine for the taking of remaining amendments on the Social Welfare and Pensions Bill, or the taking of a Report Stage. Many matters have been teased out and most of what is remaining in the Bill is not contentious, although the Bill itself is. It is wrong at this stage to enforce a guillotine on a Bill which is quite controversial but which has far-reaching consequences for workers and pensioners. I urge the Government not to impose a guillotine and to allow people, if they so wish, to take part in the remaining debate. We can progress to Report Stage at a later time.

Deputy Éamon Ó Cuív: I also oppose this as I cannot understand why the Government will not give whatever time is required to debate this issue in detail in the House. This is a very important Bill that affects people's lives. The Government gave an undertaking there would be no guillotines and there are plenty of sitting days left until the end of the term.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Jerry Buttimer: Hear, hear.

Deputy Finian McGrath: There are plenty of Saturdays.

Deputy Éamon Ó Cuív: It should be debated in full and when it is concluded the Bill can be referred to the other House. An undertaking was given by the Government that Bills such as this would not be guillotined and there is no justification for such a guillotine. There is quite a good chance that if there was no guillotine, the matter would finish one way or another today.

Deputy Finian McGrath: So much for Dáil reform.

An Ceann Comhairle: I call Deputy Joe Higgins on behalf of the Socialist Party.

Deputy Seamus Healy: Is it the Technical Group?

An Ceann Comhairle: I am obliged to say that because only leaders of parties are entitled to comment on the matter.

Deputy Seamus Healy: Is that from Deputy Stagg?

Deputy Joe Higgins: I am not a leader

An Ceann Comhairle: I will leave that to the Deputy.

Deputy Simon Harris: We know that.

(Interruptions).

Deputy Joe Higgins: I am privileged to speak on behalf of the Socialist Party and colleagues in the United Left Alliance.

Deputy Jerry Buttimer: The Deputy is following the sheep.

Deputy Joe Higgins: The Government promised us there would be virtually no curtailment of debate and no guillotines but the guillotine is now a weekly reality, cutting short debate. There should not be a guillotine on the Social Welfare and Pensions Bill so that Government backbenchers can have the opportunity to come into this Dáil to explain why they have been trooping in to support the absolutely reactionary measure of smashing the rights of workers to retire at 65.

Deputy Jerry Buttimer: Is this relevant to the Order of Business?

Deputy Joe Higgins: Workers now under 50 are being condemned——

Deputy Finian McGrath: Deputy Buttimer should listen to the points.

Deputy Joe Higgins: ——to stay at work until they are 68.

An Ceann Comhairle: There is no need to expand into the content of the Bill.

Deputy Joe Higgins: I am explaining, as I am entitled to under Standing Orders, why the measure should be opposed. The Minister for Social Protection is rapidly becoming a misnomer as she is proposing the opposite of social protection. She was a forlorn figure in the Dáil without a single backbencher, particularly from her own party, to support her.

Deputy Aodhán Ó Riordáin: Not true.

Deputy Colm Keaveney: That is not right. We were here.

Deputy Joe Costello: We were sitting here.

Deputy Colm Keaveney: The Deputy was not even here himself.

An Ceann Comhairle: We are talking about a lack of time but we are now wasting time.

Deputies: Hear, hear.

Deputy Bernard J. Durkan: Get to it.

Deputy Jerry Buttimer: He is definitely not a leader now.

Deputy Joe Higgins: Two or three of them mustered the courage to come in not to defend the reaction measures but to mutter some words about an internship which they thought they might be safe in doing. Otherwise they were not seen. They should have the opportunity on Report Stage to explain why workers will be forced to work until they are almost 70 while they are bailing out the European bankers and speculators. Come in and do that.

Deputy Richard Boyd Barrett: I oppose this.

An Ceann Comhairle: I call Deputy Boyd Barrett on behalf of the People Before Profit Alliance.

Deputy Phil Hogan: Who is the leader?

Deputy Richard Boyd Barrett: We do not have leaders.

Deputy Paudie Coffey: Will the other 15 leaders stand up?

Deputy Richard Boyd Barrett: I am opposing the proposal on the basis that when the same proposal to raise the pension age was proposed by the Slovenian Government the people of that country demanded a referendum, such was the seriousness of forcing people to work longer and harder for less. The people of Slovenia got their referendum on the matter and they said “No”. The Government will not give us a referendum. It will not even give us a proper debate because it is cutting our time short and it appears as if democracy is being fundamentally undermined at the diktat of the IMF and the EU.

An Ceann Comhairle: Thank you Deputy.

Deputy Richard Boyd Barrett: On that basis I oppose the proposal and I appeal to the Government to stop kowtowing to the IMF and the EU and allow for a democratic debate on a very serious matter which attacks the basic rights and entitlements won by working people in this country.

An Ceann Comhairle: I am putting the question.

Deputy Aengus Ó Snodaigh: The Tánaiste may want to reply.

An Ceann Comhairle: I apologise, he wants to reply. I was merely trying to save time.

The Tánaiste: I will keep it short in that case. There has already been a lengthy debate on this Bill. Discussion lasted until 10 p.m. last night and the Minister for Social Protection was in the Chamber continuously from 2.30 p.m. until 10 p.m. without a break.

Deputy Barry Cowen: Fair play to her. Huge effort.

The Tánaiste: Deputy Ó Snodaigh rightly anticipates that the business will be concluded by 1.30 p.m. in any event if there is co-operation on all sides. A deadline has to be met because the Government has given a commitment that the reversal to the cut in the national minimum wage will be introduced on 1 July.

Deputy Emmet Stagg: Is Deputy Higgins against that?

Deputy Barry Cowen: The JLCs will be the following week.

An Ceann Comhairle: Order, please.

The Tánaiste: Bearing in mind that the Bill also has to go to the Seanad, it is not unreasonable to conclude debate in this House today unless some Members opposite are suggesting we should delay reversing the cut in the minimum wage.

Question put:

The Dáil divided: Tá, 83; Níl, 36.

Tá

Barry, Tom.
Breen, Pat.
Broughan, Thomas P.
Burton, Joan.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.

Cannon, Ciarán.
Carey, Joe.
Coffey, Paudie.
Conaghan, Michael.
Connaughton, Paul J.
Conway, Ciara.
Corcoran Kennedy, Marcella.
Costello, Joe.

Tá—*continued*

Coveney, Simon.
 Creighton, Lucinda.
 Deasy, John.
 Deenihan, Jimmy.
 Deering, Pat.
 Doherty, Regina.
 Donohoe, Paschal.
 Dowds, Robert.
 Durkan, Bernard J.
 Feighan, Frank.
 Ferris, Anne.
 Fitzpatrick, Peter.
 Flanagan, Charles.
 Flanagan, Terence.
 Gilmore, Eamon.
 Griffin, Brendan.
 Hannigan, Dominic.
 Harrington, Noel.
 Harris, Simon.
 Hayes, Brian.
 Heydon, Martin.
 Howlin, Brendan.
 Humphreys, Kevin.
 Keating, Derek.
 Keaveney, Colm.
 Kehoe, Paul.
 Kelly, Alan.
 Kenny, Seán.
 Kyne, Seán.
 Lawlor, Anthony.
 Lynch, Ciarán.
 Lynch, Kathleen.
 Lyons, John.
 Maloney, Eamonn.

Mathews, Peter.
 McCarthy, Michael.
 McFadden, Nicky.
 McGinley, Dinny.
 McHugh, Joe.
 McLoughlin, Tony.
 McNamara, Michael.
 Mulherin, Michelle.
 Murphy, Dara.
 Murphy, Eoghan.
 Nash, Gerald.
 Naughten, Denis.
 Neville, Dan.
 Nolan, Derek.
 Ó Ríordáin, Aodhán.
 O'Donnell, Kieran.
 O'Donovan, Patrick.
 O'Dowd, Fergus.
 O'Mahony, John.
 O'Reilly, Joe.
 Phelan, Ann.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Brendan.
 Shortall, Róisín.
 Spring, Arthur.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Twomey, Liam.
 Wall, Jack.
 White, Alex.

Níl

Boyd Barrett, Richard.
 Calleary, Dara.
 Collins, Joan.
 Collins, Niall.
 Colreavy, Michael.
 Cowen, Barry.
 Daly, Clare.
 Doherty, Pearse.
 Donnelly, Stephen.
 Ellis, Dessie.
 Ferris, Martin.
 Flanagan, Luke 'Ming'.
 Fleming, Tom.
 Halligan, John.
 Healy, Seamus.
 Healy-Rae, Michael.
 Higgins, Joe.
 Kelleher, Billy.

Kirk, Seamus.
 Kitt, Michael P.
 Mac Lochlainn, Pádraig.
 McConalogue, Charlie.
 McDonald, Mary Lou.
 McGrath, Finian.
 McLellan, Sandra.
 Murphy, Catherine.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 Ó Snodaigh, Aengus.
 O'Brien, Jonathan.
 Pringle, Thomas.
 Ross, Shane.
 Smith, Brendan.
 Stanley, Brian.
 Tóibín, Peadar.
 Wallace, Mick.

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

Question declared carried.

An Ceann Comhairle: Order, please. Time is precious. Will Members stop speaking in the Chamber? We want to get on with business. People are complaining that there is not enough time.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Éamon Ó Cuív: It is 100 days in Government for the Tánaiste. I am sure he has found out in the 100 days that whatever about it being Frankfurt's way it is certainly Fine Gael's way in Government.

An Ceann Comhairle: I thank Deputy Ó Cuív for bringing it to our attention but we all know it.

Deputy Billy Kelleher: Does the Ceann Comhairle mean that we all know about the 100 days or that it is Fine Gael's way?

Deputy Bernard J. Durkan: It is 101 days now to be exact.

An Ceann Comhairle: Could we deal with the Order of Business and promised legislation?

Deputy Jerry Buttimer: Fianna Fáil is in opposition at last.

Deputy Dara Calleary: It is called neutering legislation.

Deputy Éamon Ó Cuív: A Thánaiste, on the ordering of the House, there is huge concern at the rumours and leaks about small hospitals and the mixed signals being given.

An Ceann Comhairle: We are not dealing with leaks and small hospitals at the moment. We are dealing with promised legislation.

Deputy Éamon Ó Cuív: Absolutely. To allay people's fears, will the Tánaiste facilitate a debate in the House next week on the future of services in small hospitals so that people know the truth about what the Government is proposing in that regard and——

An Ceann Comhairle: I thank the Deputy.

Deputy Éamon Ó Cuív: ——that we know whether the commitments given by Fine Gael and Labour backbenchers will be honoured——

An Ceann Comhairle: That is out of order.

Deputy Éamon Ó Cuív: ——or whether this will be another serious U-turn on Government policy?

(Interruptions).

An Ceann Comhairle: That is a matter for the Whips to agree.

Deputy Dara Calleary: It is 100 days without a job.

A Deputy: Fifteen years of destruction.

The Tánaiste: I thank Deputy Ó Cuív for his acknowledgement——

Deputy Pat Rabbitte: Good wishes.

The Tánaiste: ——and congratulations on the achievements of the Government in its first 100 days. I am sure he will have noticed that, unlike during the 14 years in which he served in office, the Government spent its first 100 days here working——

Deputies: Hear, hear.

The Tánaiste: —and not on holidays, as had been the practice in the past.

Deputy Billy Kelleher: The Tánaiste was in Tanzania last week.

Deputy Niall Collins: With a big green tie on him.

Deputy Billy Kelleher: The man from Dar es Salaam.

The Tánaiste: We have done a considerable amount in that 100 days to reverse a lot of the damage the previous Government did in its term of office.

Deputies: Hear, hear.

The Tánaiste: With regard to the issue the Deputy raised about small hospitals, I remind the Deputy that his party has Private Members' time next week and it is a matter for himself, if he considers the issue sufficiently important, to make it the subject of Private Members' time.

Deputy Éamon Ó Cuív: We will certainly consider that very seriously.

Deputy Mary Lou McDonald: I note the announcement of the Minister for Finance that burden-sharing is to be imposed on senior bondholders in Anglo Irish Bank and Irish Nationwide. I hope this marks a realisation in government that senior bondholders must be dealt with rather than a stunt to mark its 100th day in office. When will the legislation required for such burden-sharing be brought before the House, given that the Credit Institutions (Stabilisation) Act 2010 does not provide for it?

Furthermore, I ask the Tánaiste to give an assurance to the House that the Government will stand up for Irish interests irrespective of the position taken by the ECB——

An Ceann Comhairle: On promised legislation, please.

Deputy Mary Lou McDonald: —and to assure the House that the burden-sharing imposed will be substantial and that it will extend beyond Anglo Irish Bank and Irish Nationwide to all the covered institutions. On this, the Government's 100th day in office, I hope its efforts in respect of burden-sharing——

An Ceann Comhairle: Sorry, Deputy; you are out of order.

Deputy Mary Lou McDonald: ——will meet with much greater success——

An Ceann Comhairle: The Deputy's party Whip is seeking extra time for the Social Welfare and Pensions Bill.

Deputy Mary Lou McDonald: ——than its failed attempts to obtain a reduced interest rate on the IMF-EU deal.

An Ceann Comhairle: I ask Deputies to stay in order. There are people who want to deal with the Social Welfare and Pensions Bill and we have until 1.30 p.m. to do so.

The Tánaiste: The Minister for Finance yesterday expressed the Government's position, on which we have been absolutely consistent, which is that the burden on the Irish taxpayer for losses incurred by the banks must be minimised. The Minister has reiterated the Government position on burden-sharing for senior bondholders in Anglo Irish Bank and Irish Nationwide,

[The Tánaiste.]

and he has made it clear that this will be discussed with the ECB and particularly with the Commission. The question of the legislation required to implement it will be dealt with following those discussions.

Deputy Denis Naughten: I have a question about promised legislation. During the term of the last Government, it promised on numerous occasions to protect the rights of people with intellectual disabilities in long-term institutions through the mental capacity Bill. The publication of this Bill has been promised, including in the House. When will we see this Bill, which will facilitate the Government's adoption of the UN Convention on the Rights of Persons with Disabilities? I believe there will be a further exposé this evening on the treatment of people with intellectual disabilities. I ask the Government to prioritise the legislation.

The Tánaiste: The Government is anxious to introduce this Bill to the House. It is intended to do so later this year.

Deputy Joe Higgins: The Minister for public expenditure is quoted this morning as having threatened public sector workers with a continuation of the pay cuts that have been imposed. This is apparently their reward for achieving €600 million in savings.

An Ceann Comhairle: Now, Deputy.

Deputy Joe Higgins: Can the Tánaiste tell us when that Minister will be accountable to the Dáil? When will he come in here and answer questions on this and other serious issues?

An Ceann Comhairle: That is not in order under the Order of Business.

Deputy Joe Higgins: Why?

An Ceann Comhairle: Because it is not promised legislation.

Deputy Joe Higgins: It is to do with the ordering of business in the Dáil.

An Ceann Comhairle: No. That is a matter for the Whips. The Deputy has a Whip beside him who is called Deputy Catherine Murphy.

Deputy Joe Higgins: My——

An Ceann Comhairle: That is correct.

Deputy Emmet Stagg: A very good Whip, too.

Deputy Joe Higgins: No. I am sorry, a Cheann Comhairle. It has to do with the ordering of business in the Dáil——

An Ceann Comhairle: Yes, which we do not discuss in the Chamber.

Deputy Joe Higgins: ——which is entirely in order under Standing Orders.

An Ceann Comhairle: We discuss it among the Whips and they arrange it.

Deputy Paul Kehoe: Deputy Murphy should whip him into shape.

An Ceann Comhairle: That is how business is done, Deputy. It is done between the Whips.

Deputy Emmet Stagg: He is not used to Whips.

An Ceann Comhairle: If it is promised legislation or a promised debate, the Deputy may ask when that debate is due, if it has been agreed to. Asking for a debate must be done through the Whips. That is the procedure.

Deputy Joe Higgins: We have been promised that the Minister for public expenditure will be accountable. When will it happen?

The Tánaiste: The Ministers and Secretaries (Amendment) Bill is before the Dáil. Committee and Report Stages are intended to be taken next Thursday.

Deputy Anne Ferris: I welcome the passing of the Criminal Justice (Female Genital Mutilation) Bill in the Seanad yesterday. Before I ask a question, I take this opportunity to commend my colleague Senator Ivana Bacik for introducing this Bill on behalf of the thousands of women and girls who have had to undergo such a monstrous procedure. Can the Tánaiste tell us when this Bill will be coming before the Dáil, in order to give us a chance to debate it and make sure the legislation is enacted as soon as possible?

The Tánaiste: It is listed for Second Stage in the Dáil. If there were agreement across the House among the Whips, the Government would be minded to introduce it to the Dáil as early as possible, but there would need to be co-operation.

Deputy Joan Collins: When will the Communications Regulation (Postal Services) Bill be on the agenda? I asked this question two weeks ago. I know the committees are being set up next week. There is interest in this, particularly from the Communications Workers' Union.

The Tánaiste: I understand that Bill will go before the relevant committee of the House. Now that the committees have been established, it is a matter for the committee to schedule a date and time for Committee Stage.

Deputy Joan Collins: That is what the Tánaiste said the last time I asked. Is there a date?

The Tánaiste: When the Deputy raised this on the last occasion, the committees had not been established. They are now established, and it is a matter for the committee to set the date for dealing with the Bill. The Deputy can be sure the Minister will be agreeable to facilitating early consideration of the Bill by the committee.

Deputy Dara Calleary: Does the Government have plans to introduce an amendment to the Social Welfare and Pensions Bill, or introduce another social welfare Bill, to restrict payments to single mothers or fathers? Are any changes planned in this regard?

The Tánaiste: The Social Welfare and Pensions Bill is before the House today.

An Ceann Comhairle: We hope to have it in a few minutes.

The Tánaiste: Other than the amendments tabled by the Minister for Social Protection already, I am not aware of any others.

An Ceann Comhairle: Deputy Costello.

Deputy Joe Costello: The issue has been dealt with.

An Ceann Comhairle: Thank you, Deputy.

Deputy Pearse Doherty: I have two questions about promised legislation. With regard to burden-sharing by senior bondholders, yesterday the Fianna Fáil Party was briefing heavily on RTE and so on that legislation had been passed to impose losses on senior bondholders. We know that is not the case, because my amendments to the Bill last December were not accepted. Is it the intention of this Government to introduce legislation to impose losses on senior bondholders, or is the legislative programme being dictated by the EU and ECB? Can we have a statement of intent? Does the Tánaiste not believe such enabling legislation passed by the House would strengthen the Government's hand?

An Ceann Comhairle: Is this promised legislation?

Deputy Pearse Doherty: It is promised legislation in the programme for Government, and it has also been promised outside the House.

Does legislation need to be passed by this House to give effect to the commitment in the programme for Government to ensure the pension entitlement for retiring Deputies will not begin until they reach the national retirement age? As the Minister is well aware, TDs elected before 2004 who retire at this stage can get their pensions at the age of 50. The commitment is to extend that age so no political pensions can be obtained until the national retirement age.

An Ceann Comhairle: Is there promised legislation?

Deputy Pearse Doherty: Is legislation required to give effect to that commitment, which is in the programme for Government?

The Tánaiste: The Government is advised by the Attorney General as to whether legislation is required in respect of any particular measure. In respect of the two matters raised by Deputy Pearse Doherty, the Government will rely on the Attorney General's advice.

Deputy Brendan Griffin: The Environment (Miscellaneous Provisions) Bill 2011 will restore the bilingual name of Dingle-Daingean Uí Chúis. When will the Bill be brought before the House?

Deputy Dara Calleary: Someone should tell Senator Tom Sheahan about that.

The Tánaiste: The Environment (Miscellaneous Provisions) Bill is on Committee Stage. It is a matter for the relevant select committee to set a date for dealing with it.

Deputy Mick Wallace: We were promised legislation to establish a strategic investment bank. The Tánaiste will agree small and medium-sized businesses are screaming for a bank open to lending. When will the legislation establishing such a bank be introduced?

The Tánaiste: When the Government has completed its consideration of that matter, any legislation required will be prepared.

Deputy Dara Calleary: It is under consideration then.

Deputy Paschal Donohoe: The Tánaiste has acknowledged the committee system will begin operating soon. The Government has given a commitment to establish a fiscal policy council. When will the fiscal responsibility Bill be published?

The Tánaiste: The establishment of a fiscal council is under consideration by the Government. Again, when this consideration is completed, the measure will be brought before the House.

Deputy Michael P. Kitt: Is legislation on social housing promised? Reports this morning suggest that affordable housing is to come to an end with the Government in favour of the renting rather than the purchase of houses in affordable housing schemes.

The Tánaiste: The Minister of State at the Department of the Environment, Community and Local Government with responsibility for housing and planning, Deputy Willie Penrose, will publish the Government's housing strategy statement today.

Deputy Michael P. Kitt: Will it be possible to have a debate on this issue in the House?

The Tánaiste: Yes, we will consider requests for a debate on it. This is a matter that can be discussed by the Whips.

Deputy Shane Ross: The Government has committed to having a referendum on whistleblower legislation in October. Considering the Technical Group has legislation on whistleblowers on the Order Paper, will the Tánaiste consider giving it time, particularly as it does not require a constitutional referendum? There seems to be a strong lobby against whistleblowers, including the Department of Finance and IBEC. It might be good to get a debate on the matter early and urgently.

An Ceann Comhairle: Is it a Private Members' Bill?

Deputy Shane Ross: Yes it is.

The Tánaiste: The Bill can be taken in Private Members' time. The Government intends to have a referendum on whistleblower legislation in conjunction with the presidential election in October. It will be a number of constitutional amendments that the Government intends to bring forward. I am sure Deputy Shane Ross will welcome such a move.

Deputy Dessie Ellis: A man is facing a possible jail sentence——

An Ceann Comhairle: Oh my God, please no.

(Interruptions).

Deputy Dessie Ellis: ——for displaying his national flag, the tricolour, on his taxi.

An Ceann Comhairle: No, we do not deal with such matters here.

Deputy Dessie Ellis: It is about promised legislation.

An Ceann Comhairle: Now we are fine.

Deputy Dessie Ellis: This is an absolute waste of Garda time and resources and taxpayers' money. It is scandalous.

An Ceann Comhairle: Which is scandalous?

Deputy Dessie Ellis: Is any legislation planned to protect a person's right to display the national flag? It so happens that the court case in question falls on 4 July — US independence day. If it were an American flag that was displayed on the taxi, we would be the laughing stock of Europe.

An Ceann Comhairle: Deputy Ellis has had his say. Is there promised legislation about flying flags?

The Tánaiste: No, there is not. However, now that the Deputy has mentioned it, it has often crossed my mind that we do need some ground rules about the appropriate and non-partisan use of the national flag.

Deputies: Hear, hear.

Deputy Ann Phelan: We should thank Deputy Ellis for flagging the issue.

Discharge of Orders and Referral of Bills to Select Committees: Motion

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

That the Order that each Bill listed in column 1 of the Schedule here to be considered in Committee of the whole Dáil is hereby discharged, and that each such Bill is respectively referred to either the Committee or the sub-Committee listed in column 3, established to consider such matters pursuant to Standing Order 82A(3)(a) and (6)(a).

SCHEDULE

(1) Bill	(2) Ordered to be taken in Committee of the whole Dáil on	(3) Committee or Sub-Committee
1. Criminal Justice Bill 2011	31st May 2011	Select Committee on Justice, Defence and Equality
2. Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011	21st April 2011	Select Committee on Justice, Defence and Equality
3. Communications Regulation (Postal Services) Bill 2010 [<i>Seanad</i>]	13th April 2011	Sub-Committee of the Select Committee on Communications, Natural Resources and Agriculture
4. Environment (Miscellaneous Provisions) Bill 2011	14th April 2011	Sub-Committee of the Select Committee on Environment, Transport, Culture and the Gaeltacht
5. Property Services (Regulation) Bill 2009 [<i>Seanad</i>]	23rd March 2011	Select Committee on Justice, Defence and Equality
6. Immigration, Residence and Protection Bill 2010	23rd March 2011	Select Committee on Justice, Defence and Equality
7. Criminal Law (Defence and the Dwelling) Bill 2010	23rd March 2011	Select Committee on Justice, Defence and Equality

Question put and agreed to.

Social Welfare and Pensions Bill 2011: Committee Stage (Resumed).

SECTION 20

Debate resumed on amendment No. 11:

In page 22, paragraph (b), line 24, after “Ireland” to insert “and the Local Authority Franchise Offices”.

—(Deputy Aengus Ó Snodaigh).

Deputy Aengus Ó Snodaigh: This amendment deals with the changes to the various bodies and groups authorised to use a personal public service, PPS, number for the purposes of carrying out transactions with members of the public and for sharing personal data and information among themselves. I propose the provision be extended to local authority franchise officers to ensure everyone's PPS number rather than address is used for determining the electoral register. It would also mean the Minister for the Environment, Community and Local Government would have to introduce legislation to this effect.

Minister for Social Protection (Deputy Joan Burton): I am sympathetic to this amendment which makes a great deal of sense. This proposal has been suggested and debated at various committees before. Social welfare legislation is not as such the place to introduce such legislative measures as it is primarily a matter for the Department of the Environment, Community and Local Government.

There is the wider issue of examining outcomes from social welfare policies and programmes. We need to put in place a strong evaluation system of such programmes that reports on a timely basis as to how different social welfare changes impact on people. Such a system would also assist in preparing advice and guidance for people on how to get back into the labour market and access employment and training.

One difficulty in this regard is the restrictive approach to using personal data in a scientific and academic context while maintaining confidentiality at all stages. The Deputy referred to the use of PPS numbers as a verification mechanism in respect of elections.

There are similar difficulties with regard to using data relating to individuals and their PPS numbers in the context of evaluating such data.

This is a matter which is worthy of examination. We are trying to give opportunities, advice and information to people on social welfare in order that they might become active and try to return to the labour force. Our best-known State agency for dealing with such matters is FÁS, which provides job training. It is most important that we evaluate the latter relative to the experience of people who come off jobseeker's benefit or allowance or some other social welfare payment in order to take up training and so that we might discover how these individuals fare subsequently.

The current process of evaluation, whether it is carried out by academics or the ESRI, is extremely slow. The system in this country is much slower than those which obtain in other European countries. A balance must be struck in the context of using the data that is available for public purposes or for the type of evaluation purposes to which I just referred. High standards are required on the part of officials in Departments who have access to such data. Officials must not use their position in order to access this type of data for purposes other than those relating to their work. Where such data has been accessed for almost personal purposes in the past, the management within the Civil Service has taken the matter very seriously. That was the correct response.

This is a topic to which we might return at a later date. I do not propose to accept the amendment because I do not believe it is suitable in the context of the legislation. However, there is much merit in the suggestion put forward by the Deputy.

Amendment, by leave, withdrawn.

Section 20 agreed to

Sections 21 and 22 agreed to.

SECTION 23

Deputy Joan Burton: I move amendment No. 12:

In page 25, line 13, to delete “1 July 2011” and substitute “2 July 2011”.

Amendment agreed to.

Question proposed: “That section 23, as amended, stand part of the Bill.”

Deputy Aengus Ó Snodaigh: This section is tied to the reduction in employers' PRSI. What is proposed is very strange, particularly in view of the fact that activation measures such as education, training, etc., are required and in light of the constraints on the public purse. It is bizarre that we are reducing the national training fund levy. The amount involved — a reduction from 0.7% to 0.35% — is minuscule in some ways. However, the money being lost to the Exchequer could easily have been spent on enhancing some of the projects to which we referred previously, namely, the Tús programme, the internship programme, the extension or expansion of the community employment programme or a programme to allow apprentices complete their courses. In the context of the latter programme, hundreds if not thousands of apprentices have been adversely affected as a result of the collapse of the construction industry and now find themselves half or three quarters of the way through their courses. The levy to which I refer was used in the past to fund specific programmes run by FÁS, IDA Ireland, Shannon Development and Enterprise Ireland and this could have been done again.

I am not fully aware of how the national training fund levy was divided or whether the money involved was ring-fenced. If it was not ring-fenced, the very least we should do is ensure that even the reduced amount for which provision is being made in the Bill will be protected. The levy should be ring-fenced and should be used to create additional training places and opportunities in order that people might upskill.

Those are my concerns. I am not going to press the matter to a vote but I ask that the Minister — in light of the small nature of the reduction — explain the logic behind this section in comparison to that which applies in respect of the reduction in employers' PRSI.

Deputy Joan Burton: Section 23 must be read in conjunction with section 22, which involves the restoration of the national minimum wage to its previous level. The reinstatement of the national minimum wage will be very important for low-paid employees who work a 40-hour week because they will benefit by €40 per week. The latter is a significant sum. The counterpart measure to this reinstatement is to offer a halving of employers' PRSI for the period up to the end of 2013. As the Deputy pointed out previously, there is a significant cost involved in this regard. The national training fund levy is, therefore, being used to facilitate what we are trying to achieve. A commencement date of 2 July in respect of the halving of the lower rate of the employers' PRSI contribution has been chosen to align it with the start of the tax week.

The purpose of section 23 is to provide for the contribution to the national training fund to be reduced by 50%. The fund has been substantially in surplus in recent years. I am advised that it was in surplus by €104 million at the end of 2010. It is estimated that the halving of the national training levy will cost €7 million this year and €13 million in a full year. Even with the reduction, it is estimated that the fund will still be in surplus by approximately €61 million at the end of 2011. It will remain in surplus in 2012.

As discussed previously, the reduction in employers' PRSI is a significant incentive in the context of employers being in a position to reduce the cost of labour. When taken in conjunction with the reduction in the lower rate of VAT, particularly as applied to industries such as tourism, it is clear that the purpose of what the Government is doing is to produce a stimulus in respect of employment retention and creation in key sectors of the economy.

Deputy Aengus Ó Snodaigh: I thank the Minister for her reply. However, what she said has made me even more dubious about this section. The fact that there is a surplus in a training fund when almost 500,000 people are unemployed is not acceptable. We are three years into a recession and there should not be a surplus at this stage. The funding in question should have immediately been pumped into retraining and educational opportunities to ensure that the lowest paid and those who are on social welfare could have upskilled in order to avail of any existing job opportunities. I presume the Minister is responsible for the training fund and I urge her to ensure that the money it contains will be spent as a matter of urgency.

There is no point in leaving €100 million sitting in an account while we await some future economic upturn. There are thousands of apprentices who should be given the opportunity to complete their training. In addition, there are hundreds of thousands of unemployed people who do not have the skills required to allow them to avail of certain job opportunities. The people at which section 23 is supposedly aimed, namely, those who are in low-paid jobs and who depend on the minimum wage, would love the opportunity to upskill to a major degree.

I presume that is what the training levy was set up for in the first instance. It will now lose €7 million because of this change. That is not a big sum in the grand scheme of things but the €7 million could have ensured a greater enhancement of the job seeker's allowance than the €20 that Tús applicants will get or the €50 for participants in the internship scheme. Other schemes have had their training budgets cut in the past. Funding for the community employment programme has been cut. There is a crying need to extend the CE programme. Here is a fund sitting waiting to be called on but it is being reduced by €7 million this year. Given that only six months remain of this year, I presume it will be reduced by €14 million next year and subsequent years.

Training opportunities are being lost. I do not see the logic of this measure. I understand the logic of making a counter measure between the PRSI changes and the increase in the national minimum wage, although I do not agree with it. We have had that debate. Given the size of this, I do not understand why it has been included. As a rule I am opposed to levies. I believe we should do everything through taxation. However, as it exists we should use the money and not reduce it, given the scale of the current crisis.

Question put and declared carried.

SECTION 24

Amendment No. 13 not moved.

Question proposed: "That section 24 stand part of the Bill."

Deputy Aengus Ó Snodaigh: I will come back to the substance of amendment No. 13 in the future when we debate a finance Bill. It deals with a peculiar circumstance that pertains to a number of people whose companies have failed because of the economic downturn and who have tax liabilities. They cannot access their social welfare entitlements because they cannot clear their tax liabilities even though they are willing to have a charge put against their social welfare entitlements.

[Deputy Aengus Ó Snodaigh.]

My opposition to section 24 is that a dangerous precedent is being set. An Act of the State is being set aside by this section. The section says that because of a deadline set by the IMF we will suspend our law. The legislation in this case is the Official Languages Act 2003. This sets a dangerous precedent and says much about how the Government views our sovereignty. I will deal with the whole aspect of the Irish language shortly. There are methods of overcoming a translation problem that exists.

We should be very careful not to suspend laws that have been enacted to facilitate a very tight timeframe set by the Minister because of a timeframe agreed with the IMF. This measure is seriously flawed. For the sake of two or three days or weeks, or even two or three months, we should not set aside major legislation that was debated at length in this House in 2003. It has major implications for the standing of the Irish language and the rights of Irish language speakers to access legislation.

The method used by this House of producing Irish language translations after the fact is one of the problems. I have argued continually that, as happens in other parliaments in bilingual states or nations, legislation should be published in both languages at the same time from the outset. I complained a number of years ago because legislation dealing with University College Galway, and specifically with the Irish language, was published in English. Even though I wanted to contribute to the debate totally in Irish I could not do so because amendments had to be submitted in English. I had submitted amendments in Irish but I was required to translate them to English and then speak on them as Gaeilge. It is bizarre that I, an Irish language speaker, am restricted in my ability to contribute totally in Irish in the House because legislation is not published bilingually.

If legislation was published bilingually in the first instance it would not take long to update it after its passage. This Bill will be translated after the fact, when it has been passed by the Seanad on 28 June. The Bill must be published by 1 July, leaving only three days to translate a complex Bill. If the Bill were published in both languages from the outset the complex detail would be in place and we would be able to debate it in Irish, in English or in both languages.

For the sake of the IMF, we are suspending our legislative provisions in this area. That is a retrograde step. It is a precedent. Given the tight timeframes in the passage of finance Bills and other emergency legislation this precedent will be availed of. We will return to the situation that existed heretofore when even Irish language Acts were not available in Irish and court cases were struck out because Irish language versions of legislation were not available.

A change is needed but this measure is not necessary. I am informed that the translators in the Houses are confident that they will have this Bill translated in the required time in any event. That is how good they are. They sometimes work under huge pressure. I do not tell them in advance whether I will speak as Gaeilge nó as Béarla and that can be a difficulty. The same is true for everyone else in the Chamber. In the European Parliament a multitude of languages are accommodated. It is costly and may be a little bureaucratic but it is one of the rights we have, as Irish speakers in this country.

Deputy Joe Higgins: Aontaím leis an méid atá ráite. Is é a deir alt 7 de Acht na dTeangacha Oifigiúla 2003:

A luaithe is féidir tar éis aon Acht den Oireachtas a achtú, déanfar an téacs den chéanna a chló agus a fhoilsiú go comhuaineach i ngach ceann de na teangacha oifigiúla.

An deabhadh atá orm ná go bhfuil an EU agus an IMF ag rá go gcaithfear an rud seo a bhualadh tríd an Dáil gan díospóireacht chuí. Ar a laghad, ba cheart go mbeadh meabhrán mínitheach againn maidir leis an Acht.

We should at least have the explanatory memorandum already translated at this stage. I gave an interview on Raidió na Gaeltachta on the very important issue of the increase in pension age, speaking to muintir na Gaeltachta and Gaelgóirí throughout the country through the Irish language media. To help us with regard to the provisions and new departures in the Bill, at least we should have had the explanatory memorandum to assist the Teachtaí Dála who do interviews through the Irish language medium.

Deputy Joan Burton: Ba mhaith liomsa go mbeadh an meabhrán mínitheach le fáil i nGaeilge ag an am gcéanna agus an leagan Béarla, ach ní dhéantar sin anois. Deputy Ó Snodaigh has mentioned how good and hard-working the people doing the translation are. They have undertaken to have it available as soon as possible. However, I understand it has been the custom to complete the translation once the Bill has been passed, particularly in the case of technical Bills in case there are substantial technical amendments. The point Deputy Higgins made about the translation of the explanatory memorandum being available at the same time as an leagan Béarla is a perfectly valid comment. That may be an issue the Whips could pursue with the Houses of the Oireachtas translation staff. If it were possible it would be helpful to everybody. I understand the staff will be working flat-out to complete the leagan Gaeilge as quickly as possible after the passage of the Bill. We are anxious to proceed on 1 July because the Bill provides for the reinstatement of the previous minimum wage. There would be difficulties with the reinstatement of the minimum wage and its enforcement if the leagan Gaeilge had to be available on exactly the same date. There is an absolutely pressing reason in this case. Deputies on all sides have said they favour the reinstatement of the minimum wage. This is a technical difficulty and we should explore whether at least the explanatory memoranda can be available in the Irish and English versions on the date they are published.

Deputy Aengus Ó Snodaigh: Bheadh séáisiúil dá mbeadh an dá leagan den meabhrán mínitheach ar fáil ag an am gcéanna.

Ach ní dhéanann sin deighleáil leis an phríomh cheist, gur chóir go mbeadh na Billí ar fáil ag an am gcéanna. Chomh maith leis sin, faoin Aire atá sé féachaint chuige go bhfuil go leor ama idir rith an Bhille agus foilsiú an aistriúcháin. Níl aon duine chun cur i gcoinne an pá meánach a ardú. Táimid ar fad i bhfábhar sin. Ach ní sin amháin a bheadh ag teacht i réim ar an 2 Iúil. Bheadh an t-athrú i leith PRSI na bhfostathóirí agus an levy traenála ag teacht i bhfeidhm ar an lá sin chomh maith.

Tá seo ar fad ceangailte le cinneadh a rinne an Rialtas leis an IMF go mbeadh an t-athrú seo i bhfeidhm laistigh den chéad leath den bhliain. Sin an tábhacht a bhaineann leis an dáta sin, 2 Iúil. D'fhéadfaí dáta eile a phiocadh dá mba ghá, ach amháin go bhfuilimid ar fad ag iarraidh go dtiocfadh an leasu sin maidir leis an pá meánach isteach chomh tapaigh agus is féidir. D'fhéadfaí sin a thabhairt i réim an tseachtain seo caite nuair a mhol an Teachta Pearse Doherty leasú ar an mBille Airgeadais. Níor glacadh leis an rún.

Tá a fhios againn nach nglacfaidh an t-Aire ach leis na leasaithe a mhol sí féin, is é sin go n-athrófaí an dáta ó 1 Iúil go 2 Iúil. Seachas sin, ní thiocfaidh aon athrú ar an alt seo ach amháin má ghlacann an t-Aire leis. D'fhéadfadh sí a rá leis na haistritheoirí an Bille a aistriú ag an stad seo ar aon chaoi. Tá a fhios againn nach bhfuil aon mór athrú chun teacht ar an mBille muna bhfuil an t-Aire sásta leis. Níor tharla sin go dtí seo agus ní fheicim go dtarlódh sé sa tSeanad ach oiread.

Tá buairt orm mar gheall ar an alt seo. Tá sé ag cur Acht de chuid on Oireachtais ar leataobh. Droch chéim chun tosaigh é seo. Má tharlaíonn sé seo i gcás an Achta seo is cinnte go dtarlóidh sé i gcás Achtanna eile amach anseo. Sin a tharlóidh gan an athrú a bhfuil mé tar éis a lua, is

[Deputy Aengus Ó Snodaigh.]

é sin go mbeadh an Bille ar fáil i nGaeilge, ní mar áis domsa amháin ach mar áis don phobal ar fad.

Bheadh sé i bhfad níos fearr dá mbeadh meabhrán mínitheach againn. Cosúil leis an Teachta Ó hUiginn, is minic a bhíonn ormsa labhairt ar Raidió na Gaeltachta. Caithim cúpla nóiméad ag treabhadh tríd na foclóirí ag triall an fhocail cheart agus is minic nach mbíonn sé le fáil. Bheadh sé i bhfad níos éasca domsa dá mbeadh meabhrán mínitheach againn. Bheadh sé i bhfad níos éasca do gach Teachta, go háirithe dóibh siúd atá ar bheagán Gaeilge. B'fhéidir go mbeadh níos mó Gaeilge á labhairt sa Teach dá mbeadh sé ar fáil.

Tá mé ag cur i gcoinne an ailt seo den Bhille. Iarraim ar an Aire tarraingt siar ón chéim seo ag an stad seo, más féidir in aon chor.

Deputy Joan Burton: Aontaím leis an Teachta gur áis don phobal ar fad aistriúchán a bheith a fáil nuair atá an díospóireacht ar siúl.

I wish to make two points about the debate on the date of implementation of the measures. The Government decided to introduce the €1 an hour increase in the minimum wage on 1 July, the same date as the changes in employers' PRSI, the lowering of the VAT rate and the application of the pension levy. It was a decision of Government to have these done simultaneously in the context of the jobs initiative and also to launch the national internship scheme on the same date.

It is a political reality, for which many of us do not particularly care, that the former Government entered into an agreement with the IMF part of which is to subject the oversight of Irish financial reports and returns on a weekly, monthly and quarterly basis. The Deputy is correct in saying the end of June marks the end of another quarter for IMF reporting; that is a fact of life. The objective of the Government is to remove us from that situation by returning the country to prosperity and employment. The measures that come into effect on 1 July will give 5,000 people an opportunity to take up a quality internship. On that day we will raise the minimum wage by €1 an hour. This is an important point for workers on the minimum wage and one on which the IMF did not agree with the previous Government. The current Government is responsible for the change. The first of July is important for the political reasons I have outlined.

I would prefer if the Irish translation were available. I note Deputy Higgins's suggestion on the explanatory memorandum. This matter could, perhaps, be taken up by the Whips in the House or a committee of Deputies with a particular interest in the language to determine whether arrangements can be made to facilitate Irish speakers in the manner suggested by Deputy Ó Snodaigh. The important point is that citizens who do their business through Irish should be facilitated with translations, as Deputy Ó Snodaigh has said. Translations, however, are very expensive, as the Deputy knows, and they are enormously costly to the State.

This section is to convenience the vast majority of citizens in terms of moving the country forward economically from the mess it is in, and ultimately getting the IMF off our backs and the troika to go home. When this occurs, we can then consign this particularly painful episode to the history books, as we would all like. If the Deputy is suggesting that we hold up the measures in order to provide for an Irish translation thereof, I suggest to him that many Irish speakers actually appreciate the urgency of the measures to restore the economic fortunes of this country and give people who are currently dependent on social welfare an opportunity to return to work, education, training or internships, or avail of a variety of opportunities that the Government has set out as part of its programme.

12 o'clock

Perhaps the arrangements for Irish translations should be reviewed. There may be a more cost-effective way of proceeding, perhaps by investing in new technology. This is one of the options that might be considered that would be helpful in producing online Irish translations pretty much coterminously with versions in English. It is important that we proceed from 1 July with a range of policies and initiatives that the Government has put forward through the jobs initiative. Deputy Ó Snodaigh said we could wait for a week, three weeks or a couple of months. We should not lose a couple of months——

Deputy Peter Mathews: Hear, hear.

Deputy Joan Burton: ——simply awaiting the Irish language translation. We should address the issue of Irish language translation and improve services for citizens who wish to use Irish. I will undertake to talk to my colleagues in Government to determine what can be done but I suggest we need to move forward on 1 July with the reinstatement of the minimum wage and the other measures provided for in this Bill and the jobs initiative.

Deputy Peter Mathews: Hear, hear.

Question put:

The Committee divided: Tá, 83; Níl, 40.

Tá

Barry, Tom.
Breen, Pat.
Broughan, Thomas P.
Burton, Joan.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.
Cannon, Ciarán.
Carey, Joe.
Coffey, Paudie.
Conlan, Seán.
Connaughton, Paul J.
Conway, Ciara.
Corcoran Kennedy, Marcella.
Costello, Joe.
Coveney, Simon.
Creighton, Lucinda.
Deasy, John.
Deering, Pat.
Doherty, Regina.
Donnelly, Stephen.
Donohoe, Paschal.
Dowds, Robert.
Durkan, Bernard J.
Farrell, Alan.
Feighan, Frank.
Ferris, Anne.
Fitzpatrick, Peter.
Flanagan, Terence.
Gilmore, Eamon.
Griffin, Brendan.
Hannigan, Dominic.
Harrington, Noel.
Harris, Simon.
Heydon, Martin.
Hogan, Phil.
Howlin, Brendan.

Humphreys, Heather.
Humphreys, Kevin.
Keaveney, Colm.
Kehoe, Paul.
Kenny, Seán.
Kyne, Seán.
Lawlor, Anthony.
Lynch, Ciarán.
Lyons, John.
Maloney, Eamonn.
Mathews, Peter.
McCarthy, Michael.
McFadden, Nicky.
McGinley, Dinny.
McHugh, Joe.
McLoughlin, Tony.
McNamara, Michael.
Mulherin, Michelle.
Murphy, Dara.
Murphy, Eoghan.
Nash, Gerald.
Naughten, Denis.
Neville, Dan.
Nolan, Derek.
Ó Ríordáin, Aodhán.
O'Donnell, Kieran.
O'Donovan, Patrick.
O'Dowd, Fergus.
O'Mahony, John.
O'Reilly, Joe.
Phelan, Ann.
Rabbitte, Pat.
Reilly, James.
Ring, Michael.
Ryan, Brendan.
Sherlock, Sean.
Shortall, Róisín.
Spring, Arthur.

Tá—*continued*

Stagg, Emmet.
Stanton, David.
Timmins, Billy.
Tuffy, Joanna.

Twomey, Liam.
Wall, Jack.
White, Alex.

Níl

Adams, Gerry.
Calleary, Dara.
Collins, Joan.
Collins, Niall.
Colreavy, Michael.
Cowen, Barry.
Daly, Clare.
Doherty, Pearse.
Dooley, Timmy.
Ellis, Dessie.
Ferris, Martin.
Flanagan, Luke ‘Ming’.
Fleming, Sean.
Fleming, Tom.
Halligan, John.
Healy, Seamus.
Higgins, Joe.
Kelleher, Billy.
Kirk, Seamus.
Kitt, Michael P.

Mac Lochlainn, Pádraig.
Martin, Micheál.
McConalogue, Charlie.
McDonald, Mary Lou.
McGrath, Finian.
McGrath, Mattie.
McGrath, Michael.
McLellan, Sandra.
Murphy, Catherine.
Ó Caoláin, Caoimhghín.
Ó Fearghaíl, Seán.
Ó Snodaigh, Aengus.
O’Brien, Jonathan.
Pringle, Thomas.
Ross, Shane.
Smith, Brendan.
Stanley, Brian.
Tóibín, Peadar.
Troy, Robert.
Wallace, Mick.

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

Question declared carried.

Section 25 agreed to.

SECTION 26

Question proposed: “That section 26 stand part of the Bill.”

Deputy Aengus Ó Snodaigh: This is Chapter 2 of Part 4 of the Bill which to my knowledge covers from section 26 to section 43 and is a detailed and complex section. From the briefing I got I do not believe I will oppose it. It provides for a transposition of EU directives or instructions regarding regulatory own funds making sure that pension funds have the required moneys to meet their liabilities and to increase the minimum standards for private pension funds. That is welcome because it will ensure that in future there will not be shortfalls or collapses as we have seen in other countries and which we might see in some cases here in the near future. I am supportive of the principle of the section but I ask the Minister to give us an explanation beyond that in the explanatory memorandum, which is quite technical. What will be the outcome? What will be the impact on the pensions industry here? Will it do what it says on the tin? Will it ensure that private pension funds will actually deliver for those who have taken out a scheme with them? Is there anything in it to address the huge costs involved in administrating these funds?

People put money into private pension funds and they expect to get it out at the other end with interest. Then they find that many costs and charges have been imposed by the scheme organisers. It is an industry and they need to make some money but the information I have is

that the percentage take by the industry from pension funds in Ireland is much more than in other jurisdictions. Does this section address that issue?

Deputy Joan Burton: The changes to the Pensions Act mainly arise from the requirements to implement Article 17 of Directive 2003/41/EC on the activities and supervision of institutions for occupational retirement provision, or the IORPS directive. The Pensions Act is also amended to clarify the responsibility of the Pensions Board in respect of the certification of certain policies or contracts of assurance under Part IVA of the Act.

Article 17 of the IORPS directive is designed to ensure a level regulatory playing field between insurance companies and institutions for occupational retirement provision, that is, pension schemes, which offer similar pension products. Insurance companies that offer pension products which underwrite death or disability benefits or which provide guaranteed benefits are required under their regulatory framework to maintain additional solvency margins. Such additional solvency requirements do not currently apply to institutions for occupational retirement pension provision offering similar products.

The purpose of Article 17 the IORPS directive is to ensure that institutions for occupational retirement provision are required to meet the same additional solvency margins as insurance companies offering the same products. Article 17 of the IORPS directive provides that where a pension scheme or trust retirement annuity contract itself — not the sponsoring employer — underwrites death or disability benefits — known as biometric risks — or guarantees a given investment performance or a given level of benefits, that scheme or trust RAC must hold a buffer of additional assets over and above the scheme or trust RAC's existing statutory funding obligations.

Schemes and trust RACs which underwrite biometric risks or provide guarantees as set out above are defined as “regulatory own funds schemes” and “regulatory own funds trust RACs” respectively. A regulatory own funds scheme is required to meet both its existing statutory funding obligation and additional solvency margin requirements.

Chapter 2 of Part 4 of the Bill makes the necessary amendments to the Pensions Act 1990 to implement Article 17 of the IORPS directive. However, it is expected that there will be few, if any, pension schemes in Ireland that function in the manner described in Article 17 of the directive. We are required by European law to commit the directive into Irish law, even if the indications are that there will be few, if any, pension schemes in Ireland that function in the manner set out in the directive.

Deputy Joe Higgins: Could we have a translation into English of what the Minister just said?

Deputy Joan Burton: That was the leagan Béarla, a Theachta.

Deputy Aengus Ó Snodaigh: Does this change the impact on existing schemes? Do schemes already in place have to retrospectively increase their reserve? Or is it just for future schemes? Even though the Minister said that it may only apply to very few pension products available in Ireland, have we any idea what kind of impact this will have? Will it impact negatively? It will impact positively in some ways because there is a greater reserve. Is there any danger that if this is to be imposed on existing schemes in Ireland, it will cause them financial problems?

Deputy Joan Burton: My advice is that it will affect few, if any, pension schemes in Ireland that function in the manner described in Article 17 of the directive. It is a particular structure of pension scheme or trust retirement annuity contract and it has nothing to do with the sponsoring employer. It is where they underwrite death or disability benefits — known in the insurance industry as biometric risks — or guarantee a given investment performance or a given level of benefits. We do not have that type of structure in Ireland, so it is unlikely that it will have any effect on existing Irish schemes.

Question put and agreed to.

Sections 27 to 43, inclusive, agreed to.

TITLE

Question proposed: "That the Title be the Title to the Bill."

Deputy Catherine Murphy: I would like to make a point about the name of the Bill. FLAC drew attention to a significant section which has been omitted, namely, the section that deals with mortgage interest supplement and the changes that are urgently needed. For example, one party to a mortgage might encounter difficulties. Aspects of the programme for Government address this. An expert group has delivered recommendations on it. It is a major omission from the Bill, because the situation is urgent if we are to have some kind of management of personal and mortgage debt. Why was this not included in the Bill, given the urgency of the problem at this stage? FLAC provided a number of recommendations and I understand the Minister is familiar with them.

The expert group on mortgage arrears provided recommendations in its own report. It is a detailed report but it is specific on some of the recommendations. Perhaps the Minister can explain why it was not deemed to be urgent. It is urgent to comply with matters driven by the EU and the IMF but not to deal with matters of practical difficulty to people who are not even getting a night's sleep because they are worried about whether they will have a roof over their heads.

Deputy Joan Burton: I have received the FLAC submission on the Bill, including its comment on mortgage interest supplement. The Department is looking to address the needs of mortgage holders, having regard to the various commitments in the programme for Government and the recommendations of the mortgage arrears and personal debt expert group.

Any changes to the mortgage interest supplement scheme must be considered in a budgetary context because a number of the changes put forward have significant implications and very detailed work is being done on the detail of the recommendations of the mortgage arrears and personal debt expert group.

I am working very closely with the Minister for the Environment, Community and Local Government and the Minister of State with responsibility for housing and planning to see how best to address the various housing issues facing households, including the issue of mortgage interest supplement and the broader issue of rent supplement which I am extremely anxious to have transferred to the Department of the Environment, Community and Local Government.

Much work is under way in regard to all of these changes but the budgetary issues have not yet been fully identified and it would not be possible to bring forward legislation or changes until that has all been done.

Question put:

The Committee divided: Tá, 91; Níl, 30.

Tá

Barry, Tom.
Broughan, Thomas P.
Burton, Joan.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.
Calleary, Dara.
Cannon, Ciarán.

Coffey, Paudie.
Collins, Niall.
Conaghan, Michael.
Conlan, Seán.
Connaughton, Paul J.
Conway, Ciara.
Corcoran Kennedy, Marcella.
Costello, Joe.
Coveney, Simon.

Tá—*continued*

Cowen, Barry.
 Deasy, John.
 Deering, Pat.
 Doherty, Regina.
 Dowds, Robert.
 Durkan, Bernard J.
 Farrell, Alan.
 Feighan, Frank.
 Ferris, Anne.
 Fitzpatrick, Peter.
 Flanagan, Charles.
 Flanagan, Terence.
 Fleming, Sean.
 Gilmore, Eamon.
 Griffin, Brendan.
 Hannigan, Dominic.
 Harrington, Noel.
 Harris, Simon.
 Hayes, Brian.
 Heydon, Martin.
 Hogan, Phil.
 Humphreys, Heather.
 Humphreys, Kevin.
 Keaveney, Colm.
 Kehoe, Paul.
 Kelleher, Billy.
 Kenny, Seán.
 Kirk, Seamus.
 Kitt, Michael P.
 Kyne, Seán.
 Lawlor, Anthony.
 Lynch, Ciarán.
 Lyons, John.
 McCarthy, Michael.
 McConalogue, Charlie.
 McFadden, Nicky.
 McGinley, Dinny.

McGrath, Michael.
 McGuinness, John.
 McHugh, Joe.
 McLoughlin, Tony.
 McNamara, Michael.
 Maloney, Eamonn.
 Mathews, Peter.
 Mulherin, Michelle.
 Murphy, Dara.
 Murphy, Eoghan.
 Nash, Gerald.
 Naughten, Denis.
 Neville, Dan.
 Nolan, Derek.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 Ó Ríordáin, Aodhán.
 O'Donnell, Kieran.
 O'Donovan, Patrick.
 O'Dowd, Fergus.
 O'Mahony, John.
 O'Reilly, Joe.
 Phelan, Ann.
 Rabbitte, Pat.
 Ryan, Brendan.
 Sherlock, Sean.
 Shortall, Róisín.
 Smith, Brendan.
 Spring, Arthur.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Troy, Robert.
 Tuffy, Joanna.
 Twomey, Liam.
 White, Alex.

Níl

Adams, Gerry.
 Boyd Barrett, Richard.
 Collins, Joan.
 Colreavy, Michael.
 Daly, Clare.
 Doherty, Pearse.
 Donnelly, Stephen.
 Ellis, Dessie.
 Ferris, Martin.
 Flanagan, Luke 'Ming'.
 Fleming, Tom.
 Halligan, John.
 Healy, Seamus.
 Healy-Rae, Michael.
 Higgins, Joe.

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

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

Question declared carried.

Bill reported with amendments.

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

Deputy Paul Kehoe: Now.

Social Welfare and Pensions Bill 2011: Report and Final Stages

Deputy Aengus Ó Snodaigh: I move amendment No. 1:

In page 5, line 29, after “Part” to insert the following:

““Minister” means the Minister for Social Protection and”.

I wish to withdraw the amendment.

Deputy Joe Higgins: I wish to protest about the way this legislation is being dealt with. It is unacceptable that we have just voted on the Second Stage of the Social Welfare and Pensions Bill and we are immediately onto Report Stage. Having glanced at the national newspapers this morning, tens of thousands of workers will learn for the first time about these serious changes to their pension rights in two and a half years' time and at a further remove for other measures. It would have been right, proper and necessary to have a break after concluding Second Stage for a discussion to take place outside the Dáil so that workers can debate and discuss the merits and mainly demerits of what is proposed for them.

An Leas-Cheann Comhairle: The House made the decision this morning and we must move on with the amendments. We cannot open the debate again.

Deputy Joe Higgins: I accept that but it is proper to draw attention to the fact that many Members on the backbenches have now received feedback from their constituents and would have voted in a different way. The Minister should have separated the restoration of the national minimum wage and other issues she mentioned, which could have been expedited quickly, so we could have a separate mechanism for dealing with the pension situation.

Amendment, by leave, withdrawn.

Deputy Aengus Ó Snodaigh: I move amendment No. 2:

In page 6, between lines 43 and 44, to insert the following:

“4.—The provisions of *section 3* shall apply to new jobs only.”.

As discussed on Committee Stage, this amendment attempts to change the provisions of section 3 to ensure, despite my opposition to the reduction in PRSI for two and a half years, that a caveat is inserted to the effect that this will only happen in the case of new jobs. This measure means there is encouragement for employers to create new jobs and that, given the current climate, there is some benefit to them in doing so. That there is a trade-off between the minimum wage increase proposed in this Bill and the decrease in employers PRSI sets a dangerous precedent for trading off workers' pay against existing contributions to a State social welfare fund. I expressed my concern on Committee Stage that there will be a reduction in the pot available to pay for the unemployed people in our society, who number nearly 500,000 on the live register. They are dependent on social welfare payments and this instrument reduces the employers' contribution to the fund.

Part of my reasoning for the new jobs provision is to discourage employers from what unscrupulous employers will do, namely, reduce the wages and working hours of employees to ensure the employers receive a benefit. The change is substantial in comparison to what existed

in the past. There are two rates of employers PRSI, 10.5% and 7.8%. The differences are minor at the moment so there is no major incentive for employers to reduce the wages of employees. In this instance, reducing the rate to 3.9% means there is an incentive for employers to do so not only because there is less PRSI to pay, but because they have lower wages to pay.

The sum of €356 is above the minimum wage. Those working 40 hours on the minimum wage come out with €346 so this is encouragement for employers to create new jobs below this figure. Even with the amendment I propose, there is a concern that any new jobs will be created at the lowest level. That is not what we should encourage people to do. We should be trying to create sustainable jobs of value that pay well to ensure people are taken out of poverty. In this instance, the encouragement shown to employers to reduce wages will end up costing the taxpayer more money. If an employer reduces wages from €390 to €356, some families will avail of the family income supplement, which is an additional charge on the Exchequer that has not been taken into account. I welcome the change to the minimum wage but it should be a stand-alone measure rather than a trade-off. Changes to the PRSI system should be dealt with in a separate Bill.

The Minister said this was one of the mechanisms to enhance job creation opportunities and to retain jobs, but the Government could have done much more to retain jobs. Employees wages were not the key problem in retaining jobs; most of it concerns the cost of utilities such as electricity and transport and rent costs. In most surveys of low-pay industries, these elements are further up the list. I urge the Minister not to proceed with this or to ensure, at the very least, that these provisions apply only to new jobs. The other amendments, which were ruled out of order, were related to this and suggested reports to the Dáil on the number of jobs created and that this section would lapse if the target was not reached. They were reasonable amendments but were ruled out of order because they represent a charge on the Exchequer.

Deputy Mick Wallace: The point made by Deputy Ó Snodaigh is very good. It would be a good idea to apply it to new jobs only. It is not easy to reduce an employee's rate per hour but employers can reduce hours to get the employee's earnings under €356. I am not sure how this will work. If someone is earning €1 above the minimum wage but is only given 33 or 34 hours, the person will earn under €356. Will the employer qualify for the PRSI reduction benefit in that case? If so, it would be great temptation to give the worker fewer hours. There will be more cases of this than a reduction in wages. It is a matter that should be addressed.

Deputy Joe Costello: This is a good proposal as we are trying to incentivise employers to take on more people. There has been much criticism from employers that the cost of labour is very high, and that argument is being used in another potential battle on the mechanisms to set wages in areas where the trade union movement is not that strong and joint labour committees, registered employment agreements and employment regulation orders are in effect. There is a considerable concession being made to employers in the reduction of PRSI, and the onus must now be put on employers to see how they respond. This is an incentivisation measure that will lead to employer costs being reduced. It shows the Government is serious about the issue but employers are expected to respond.

The concern expressed by Deputies Ó Snodaigh and Wallace should be taken on board and there should be clear mechanisms to supervise and ensure there is no abuse of what is being proposed here. This is not in any way a mechanism for employers to get around employing people or reducing hours or wages. It seeks to ensure more people are taken off the live register. If it is not effective in doing that, the measure should be discontinued.

With regard to Deputy Higgins's comments, it is also another reason we should get this legislation through as quickly as possible. It is due to come into operation on 2 July, along with a

[Deputy Joe Costello.]

host of other worthwhile measures. The reinstatement of a higher minimum wage is a desirable addition, as well as the 0.6% pension levy and PRSI reduction we are speaking about. There is also the national internship scheme.

All of these are geared towards the one purpose of getting people off the live register, getting the country moving and restarting the retail sector. All of this can be combined with the tourism incentives introduced in the Finance (No. 2) Bill. Under the present stringent conditions arising from what was introduced by the last Government in the form of the EU-IMF bailout, it is difficult to put a substantial stimulus package in place but this is a good list of proposals.

The purpose of this measure is to create jobs and I expect new jobs will be created as it is not a question of just bolstering old jobs. Will the Minister suggest how her Department will keep an eye on the operation of this proposal to ensure it fulfils the intended objective?

Deputy Jerry Buttimer: With the legislation before us it is very important to heed Deputy Martin's point about eliminating the "Punch and Judy" element of Irish politics. We should be serious about our intent. I heard the concerns of Deputies Ó Snodaigh and Wallace and understand the legitimacy of their comments. What we are discussing is the creation of employment and incentivising the jobs market. Some 14.5% of our men and women are unemployed, and the vast majority want to have a job. We know these people. Are we seriously arguing in this House, under the guide of political ideology, that we are not in favour of employment, that we do not want to give people hope on a Friday that they could go to work on a Monday? Deputy Wallace is an employer and knows well what it is like in the jobs market.

Within 100 days in this much-vaunted term we have had a jobs budget and there is a Bill before us which is incentivising employment, rewarding entrepreneurs and employers and allowing people to go to work. The issue of activation measures has been raised but we have that in this package. Deputy Costello is right in saying we must encourage employers but if the abuse which Deputy Wallace warned of becomes apparent, we should revisit the issue. I hope the Minister will comment on that. If we are to abandon all hope for the sake of ideology, we may as well give up and bring in Fidel Castro and Gadaffi and let them run the country.

Our people are crying out for hope and jobs. We all know these people in our families and communities. The Bill does not discriminate against the people who can get a job but we are looking after those who need the assistance of the Department of Social Protection. These people are the lower paid or even on the minimum wage. This Bill is restoring the minimum wage to the people who most require the help of the Government. The Members opposite in Fianna Fáil abandoned those people.

Deputy Barry Cowen: The Deputy should stop.

Deputy Jerry Buttimer: I appreciate that Deputy Cowen is feeling uncomfortable and if I were him, I would be too after the legacy of 14 years.

Deputy Barry Cowen: I have listened to the Deputy for too long.

Deputy Jerry Buttimer: Look at the legacy left by the Deputy's party. He can lecture me all he likes but he should speak to the people to discover the reality.

Deputy Mick Wallace: In fairness to Deputy Cowen, he was not here.

Deputy Jerry Buttimer: He was not but his party was in the Dáil. Deputy Cowen is flying the flag for that party now but we are flying the flag for the people.

Deputy Barry Cowen: The Deputy will be here for a long time.

Deputy Jerry Buttimer: Please God I will be.

An Leas-Cheann Comhairle: The Deputies should speak to the amendment.

Deputy Jerry Buttimer: I am speaking to the section.

Deputy Barry Cowen: What amendment is being discussed?

An Leas-Cheann Comhairle: It is amendment No. 3.

Deputy Jerry Buttimer: I am speaking to the amendment before the House. The Deputy can follow the clár; I will give him a FÁS course afterwards.

Deputy Barry Cowen: There is hope for FÁS.

Deputy Jerry Buttimer: Look at the job the last Government made of FÁS.

An Leas-Cheann Comhairle: We are getting away from the amendment.

Deputy Jerry Buttimer: We have strayed well away. It is important that those who want to be populist and preach to the Fourth Estate would say if they are against the jobs initiative, a reduction in employers' PRSI and restoration of the minimum wage.

Deputy Barry Cowen: Red lines.

Deputy Jerry Buttimer: There are no red lines in this Government. There are no blue lines either.

Deputy Barry Cowen: It was the Deputy's comment.

Deputy Jerry Buttimer: We are acting in the interests of the people and we govern for all the people rather than just a section. The Minister is being courageous, as we can see from what she said. I am digressing slightly from the amendment. The Minister has been very strong and clear in her approach and we should support and admire such courageousness. Those opposite should put away their political swords and listen because that is what the people want us to do. They want us to govern and give them hope and opportunity. That is what the Bill is about. It is not about scoring political points but it is about telling the 14.5% of people who are unemployed that there is a chance to create jobs. As Deputy Costello noted, if there is a temptation for employers to abuse the system, we should change the system to make it work.

Will we put a value on work and a job or will we create a welfare code that will exist indefinitely, with all of us paying for it? I would rather have people working and making a decisive contribution, which is what the Minister is trying to achieve.

Minister for Social Protection (Deputy Joan Burton): Deputies Higgins and Ó Snodaigh have continuously bemoaned in today's debate the fact that the cut in the minimum wage has been reinstated, arguing that it would be better to have it done at another time. This morning there was the absurd suggestion that we wait three days, three weeks or three months for the Irish language translation, which would hold up the reinstatement of the cut in the minimum wage. That is unacceptable and ridiculous. Either the Deputies are for the reinstatement of the cut in the minimum wage or for some reason unknown to the rest of us, they are not for it and are looking for devices to oppose it.

[Deputy Joan Burton.]

Similarly, over the course of last night's debate absurd objections were raised to the most modest of proposals to reduce the level of fraud in the social welfare system. I acknowledged the concerns raised by Deputies Ó Snodaigh and Wallace in regard to unscrupulous employers and I undertook to keep the operation of this part of the Bill under close supervision.

I have committed the social inclusion section of my Department to evaluating the impact on those on low incomes of proposals to reform the JLCs. I respect Deputy Wallace's point of view given his experience as an employer and in the construction industry but the majority of employers do not want to cut the wages of their staff. The reinstatement of the minimum wage protects those on the lowest incomes and that is why it is important to include it.

I do not accept the specious argument that we should postpone this package. It provides for the reinstatement of the minimum wage and a national internship scheme which gives people the opportunity to build up work experience. Employers will be allowed to make significant savings on their PRSI contributions until the end of 2013. I do not accept the suggestion that the scheme should be confined to new employees because our focus is on retaining jobs as well as generating additional employment. The jobs incentive package includes a decrease in the lower rate of VAT for tourism related industries with the intention of generating activity and employment.

I acknowledge the concerns expressed by Deputies Wallace, Ó Snodaigh and Costello in regard to exploitation of employees. The data collected by my Department from the reduction in the minimum wage indicates that the numbers involved were relatively small. We will continue to monitor the matter closely but our discussion on delaying the restoration of the minimum wage was at times absurd. What is wrong with the Deputies opposite that they want to delay dealing with the interests they are supposed to defend in order to get an aistriúcháin?

Three sections in the Bill deal with the curtailment of fraud. I found some of last night's contributions on the subject of fraud to be off the wall. We cannot maintain taxpayer confidence in our social welfare system if, as Deputies suggested last night, we back off on cases of fraud and overpayment. We should be realistic about this because we are in a difficult situation. The Government's task is to get people back to work and the country back on its feet so that we can wave goodbye to the IMF. The previous Government signed us up to weekly, monthly and quarterly reports to that institution but this package is designed to stimulate the economy. I would of course like to see more in the package but we have to make a start somewhere. Certain Deputies would prefer to postpone action until the rainy season comes in the autumn.

Deputy Joe Higgins: On a point of order, I am not sure which amendment was being addressed by the Minister.

An Leas-Cheann Comhairle: We are on amendment No. 3.

Deputy Joan Burton: I was addressing the same amendment as the one in which Deputy Higgins called for a delay in reinstating the minimum wage.

Deputy Joe Higgins: The Minister was going completely off the wall with a diversionary tactic.

Deputy Arthur Spring: That is not fair.

Deputy Jerry Buttimer: Withdraw that.

Deputy Joe Higgins: We noted that the restoration of the minimum wage could have already been done through the Dáil.

Deputy Joan Burton: How?

Deputy Joe Higgins: It could have been done in an hour——

Deputy Jerry Buttimer: It could not.

Deputy Joe Higgins: ——by bringing a separate measure but the Government wanted to bring in the reactionary and regressive measure of increasing the pension age under a flag of convenience so that the Minister could hammer those Opposition Members who oppose it by pretending——

Deputy Joan Burton: Is that the amendment?

Deputy Joe Higgins: ——to say we are also opposing the restoration of the minimum wage. Her intentions are obvious and we should move on.

An Leas-Cheann Comhairle: I call Deputy Wallace.

Deputy Joan Burton: On a point of order——

An Leas-Cheann Comhairle: Briefly.

Deputy Joan Burton: It is the Deputy who introduced the argument that the minimum wage should not have been addressed in this Bill. I repeat my opinion that he is far off the mark in trying to find specious arguments for not reinstating the minimum wage.

Deputy Joe Higgins: Rubbish.

Deputy Joan Burton: He wants to find specious arguments.

An Leas-Cheann Comhairle: I must stop the Minister. We already had this debate.

Deputy Joe Higgins: Who believes that?

Deputy Joan Burton: Last night his colleague was attacking measures to reduce fraud.

An Leas-Cheann Comhairle: We already had this debate. I call Deputy Wallace.

Deputy Mick Wallace: As the minimum wage in the construction industry is €14.50, this measure will not have an impact. However, the catering industry will be affected.

We have had a good debate last night and today. Deputies Higgins and Ó Snodaigh should be complimented for being in the House. Only a handful of the 166 Members elected to the Dáil were present for the debate. At least we are prepared to debate even if we do not agree on everything. When it is over we will be able to agree we have had a good debate on the Bill and the Minister has made herself available to respond to our arguments. She should not criticise us for disagreeing. We are interested in debating the Bill but, unfortunately, there are not enough of us.

Deputy Aengus Ó Snodaigh: I tabled this amendment in an effort to be constructive. I can also be destructive, as some people will be aware. Being constructive involves changing the Bill to the betterment of everyone. The Minister took my arguments on the minimum wage and

[Deputy Aengus Ó Snodaigh.]

the Irish language out of context but I would prefer to deal with that outside the House because I prefer to address the amendment in the limited time available to me on Report Stage.

The change in PRSI is tied to the reversion of the cut in the minimum wage. We tabled an amendment to that effect to the Finance (No. 2) Bill 2011 because the reduction was originally provided for in another Finance Bill. There was no delay on our part. The measure could have been implemented in the first week of the new Dáil because it was not necessary to tie it to anything. The Government tied it to the changes in PRSI introduced in this Bill. That is where the delay lies. It is not of my making or of anyone else. The Irish language is a different matter altogether. Given the change, I do not suggest that we delay.

An Leas-Cheann Comhairle: Is the Deputy aware that he has two minutes? He will have another opportunity to contribute. He should conclude.

Deputy Aengus Ó Snodaigh: I am concluding. It is a counter-measure. The public purse will be worse off because of it at a time when we want the public purse to be able to pay those on social welfare as the money is being reduced.

I made the argument about employers and the temptation that may exist. I hope I am wrong. I acknowledged last night that the Minister said she would come back to the House on the matter. I welcomed that, which is why I will not delay on the amendment.

Deputy Joan Burton: I thank Deputy Ó Snodaigh for his remarks. I did not introduce the minimum wage into the debate. It was another Deputy who did and I felt it appropriate to respond to the point. In addressing the amendment, both Deputy Ó Snodaigh and Deputy Wallace made important and significant contributions. I will undertake to monitor the situation referred to by both Deputies because it is an important point. Many employers are good employers and their first objective is not about reducing the wages of staff, but I recognise that there is a risk attached to the measure.

However, we must get some measures going, which is what the Bill is about, such as the reinstatement of the reduction in the minimum wage, a reduction in employer's PRSI being offered to employers to retain existing employment and to increase employment and the parallel reduction in the lower rate of VAT specifically directed at tourism and a number of personal services areas that, hopefully, will help to retain and generate jobs, not only in the employment centres such as cities but particularly in dispersed rural and tourism areas. We must start somewhere. The Bill is a start and I hope Deputies will accept it in that spirit.

Deputy Aengus Ó Snodaigh: I will not press the amendment in order to move on to other issues.

Amendment, by leave, withdrawn.

Amendment No. 3 not moved.

An Leas-Cheann Comhairle: We will proceed to amendment No. 4.

Deputy Aengus Ó Snodaigh: Given the commitment from the Minister I will withdraw it.

Amendment No. 4 not moved.

Amendments Nos. 5 to 8, inclusive, not moved.

Deputy Aengus Ó Snodaigh: I move amendment No. 9:

In page 21, to delete lines 30 to 38, and in page 22, to delete lines 1 to 10.

The amendment relates to fraud, as raised by the Minister in the previous contribution. I reject the suggestions that I condone fraud under the social welfare code in any way. I repeat what I said yesterday. I have been a Member of the Dáil since 2002, and I have continuously encouraged the Department of Social Protection to increase the number of social welfare inspectors to target those who are involved in fraud and to pursue them through the courts if necessary. I do not think I can go beyond that. The concern of most Deputies and of most member of the public is to ensure that the social welfare code is fully protected.

That said, the change to the current practice is in danger of straying beyond the norm because it specifies that in the event of someone being involved in fraud that not only the fraudulent part of the claim is affected but also that part to which they are or were entitled. This means that for those who are involved in fraud, the concealment of facts or making misleading statements would also be affected by a significant change.

It is very difficult to retrospectively deny someone his or her entitlements. That is my concern. If a person was entitled to part of a claim but he or she was also making a fraudulent claim then one should go after him or her for the amount that was being fraudulently claimed. Such a person should be penalised as well by the imposition of fines on top of that, but to retrospectively deny a person what he or she is rightfully entitled to is a step too far.

That is not to undermine the social welfare code in any way. It does not put any restrictions on social welfare inspectors. It is the current practice. The problem is that as a society we have not done enough to ensure a full recovery of fraudulent social welfare claims or any other claims. The proposal is a step too far. If there was enough time to examine the Bill properly and to get the view of legal practitioners concerns might be expressed. The Bill is rushed and like all rushed legislation there is a danger that we will go too far or that the proper protections will not be put in place. In such circumstances we are straying into bad legislation which will then fall in the event of a court challenge. That is a possibility in this case.

In the short time since the Bill was published a number of submissions have been made on it. The measure was identified by both the FLAC group and the INOU as an area of concern. They were also concerned at the short period for the intended passage of the Bill, as I am.

I might be out of order. Perhaps I am reading it wrong but given my opposition to social welfare fraud I gave some time to scrutinise the Bill to ensure I was not out of line in this instance with my expressed view. If I am, then that is my fault but it is also a result of rushing through legislation where we do not have adequate time to examine.

Deputy Barry Cowen: As was the case last night I wish the Minister to reaffirm her commitment that those who claim funds inadvertently would not be adversely affected. I refer, for example, to a claim for a lone parent's allowance of €250 rather than a family income supplement of €200. If it was an inadvertent act on the part of the claimant then the remittance would only be the difference between the two rather than the entire amount. That is all I have to say on the matter. I hope the Minister can reaffirm, as she did last night, that it is the case. I do not seek that the section would be deleted, as insinuated yesterday.

Deputy Joan Burton: The key aspect of fraud prevention and control in this case is to ensure that appropriate sanctions are applied in instances for social welfare fraud. The emphasis is on fraud — wilful false statements, concealment and wrongful claiming — not on someone making a mistake. It is important to state that. Where social welfare fraud has been detected, effective debt recovery is an integral part of the deterrent approach. It creates a climate where the word goes out that if people defraud social welfare the money will be recovered.

[Deputy Joan Burton.]

In response to Deputy Cowen's point, I asked departmental officials to examine the distinction between fraud and an accidental omission or mistake which was not intended to be fraudulent, which is what he is referring to. For example, a person may apply for jobseeker's allowance and be entitled to the payment because he or she is genuinely seeking employment, but may subsequently commence employment and fail to notify the Department of the change in circumstances. He or she must sign a declaration each month stating that he or she is unemployed and entitled to the payment. In that case, the full overpayment would be claimed, correctly, because the person is signing on for jobseeker's allowance and working at the same time, as was shown in the TV3 programme. That is not acceptable, and the word must go out. That is what fraud is.

In another example that happens occasionally, a person applies for a one-parent family payment and has a genuine entitlement to the payment, but subsequently gets married abroad and, after returning to Ireland, continues to claim one-parent family payment. That is, she fails to tell my Department——

Deputy Luke 'Ming' Flanagan: He or she?

Deputy Joan Burton: ——of the change in circumstances. She continues to sign a yearly annual review form stating that she is not married when in fact she has married. In that case, again, the full overpayment would be claimed back from that person. I do not think anybody in the House should disagree with this if we are to maintain the integrity of the social welfare system.

In another case similar to that raised by Deputy Cowen, a person applied for jobseeker's allowance and mentioned on the claim form that he or she intended to take a course of education in the near future, but it subsequently came to light via a student data match that the person had commenced the course of education. When the case was examined, it was decided that this was not fraud. The person's possible underlying entitlement to back-to-education allowance was examined, and this would have been offset if there was an entitlement. There is a distinction between making wilful, fraudulent misstatements in claiming benefits and having a change in circumstances. If somebody's circumstances are in a state of change and the full facts are not transmitted to the Department immediately, that would fall under the circumstances mentioned by Deputy Cowen. I have asked the Department to consider a number of examples, and I have given the Deputies three. There are probably more we could go through. It is an important area.

There are three measures to do with fraud prevention, detection and reduction in this Bill. One is concerned with joint customs checkpoints with the Garda and social welfare inspectors, which is important. There are also measures dealing with the confiscation and recovery of cards. Finally, there are the measures under discussion. I do not understand the comments of some of the Deputies last night. I know that FLAC has made a case that this is equivalent to a court action on a fine, but the point is that we will not be able to stamp out fraud, which is undermining the integrity of the social welfare system, unless we send out a message that if a person is working and claiming jobseeker's allowance, that is fraud. He or she is stealing money from old-age pensioners. Unlike during the Celtic tiger years, this matters. We do not have spare cash. Fraud reduces the pot of money available to legitimate claimants. The passage of sections 17 and 18 is important and I do not accept the amendment.

Deputy John Halligan: I concur with Deputy Ó Snodaigh's comments and agree that we are rushing through this Bill. I accept that fraudulent behaviour should be dealt with and I have

no problem with that. However, we need clarity. I accept that there should be a penalty for a person who has defrauded the social welfare system, and the money that has been fraudulently taken from the system should be paid back. However, the Minister should clarify that the actual payment to which the person is entitled will not be affected. The reason for this is simple. I apologise if I am reading the provision wrong but, like Deputy Ó Snodaigh, I am not too clear on this. I do not agree with fraud in the system or with the person who fraudulently makes a claim or takes a payment. However, there is still a necessity for some sort of payment to that person if he or she is unemployed anyway — that is, if the fraud was not to do with claiming jobseeker's allowance. Like most other Deputies, I have no problem with whatever fines are established, and the fact that money that is fraudulently taken from the system must be paid back, but I ask the Minister to ensure that the claim to which the person is actually entitled is not affected.

Deputy Luke 'Ming' Flanagan: I am sure the Minister will agree that there are many ways of dealing with different issues, and one does not always have to go down the same road. If a person does not agree with one on a certain course of action, it does not mean he or she is wrong or trying to be bad. There are many different ways of dealing with fraud; I cannot see how the Minister would disagree with that. On that basis, can the Minister make it clear to the House that she does not actually think any of us up here are in favour of fraud? She is giving the impression that we are in favour of fraud, which is wrong and unfair. Clearly there are certain things in this Bill that we could vote for, but we cannot because of the other things we disagree with.

If the Minister was running a restaurant, how would she serve up the food to people? Would she present them with the menu and tell them they had to eat everything on it or they would not get fed? It would not be a good way of running a business, would it?

Deputy Joan Burton: I would not be running my restaurant for very long if the people at the back door were taking out food and bottles of wine.

Deputy Luke 'Ming' Flanagan: So we are in favour of fraud — is that what the Minister is saying?

Deputy Ann Phelan: She did not suggest that.

Deputy Joan Burton: What I said was that people in the Dáil must get real about the problem that fraud represents to the integrity of the social welfare system. There are three measures in this Bill that are aimed at reducing the level of fraud. The current system for recovery of fraud overpayments is slow. This measure will deal with the two examples I gave, including the case of a person claiming jobseeker's allowance and working at the same time. The message must go out from the Department that we want the money back to pay old-age pensioners their pensions and we will get the money back. That is a perfectly reasonable statement to go out from the Department. If a person is getting jobseeker's allowance, it means he or she is available for work; he or she should not already be working on the side. I do not think many people are defrauding the system at the moment. However, to return to the restaurant example, I can tell the Deputy that if one does not have a manager watching the stocks of food and, particularly, the bar, one's profits will walk out the door. I have worked in the restaurant business and I know this. Deputy Wallace might concur with me. Cutting down on fraud is fundamentally important to protecting social welfare payments and the integrity of the system.

Deputy Joe Higgins: If all the food is going to feed hungry bankers in Europe, there will not be anything left.

Deputy Joan Burton: I spoke about that last night.

An Leas-Cheann Comhairle: Sorry, Deputies, the time is up.

Deputy Aengus Ó Snodaigh: A Leas-Cheann Comhairle, there are still two minutes left, and as the mover of the amendment——

An Leas-Cheann Comhairle: As it is now 1.30 p.m. I am required to put the following question——

Deputy Aengus Ó Snodaigh: There is still a minute left. The Leas-Cheann Comhairle is out of order.

An Leas-Cheann Comhairle: ——in accordance with an order of the Dáil of this day: “That Fourth Stage is hereby completed and the Bill is hereby passed.”

Amendment put:

The Dáil divided: Tá, 98; Níl, 30.

Tá

Barry, Tom.
Broughan, Thomas P.
Burton, Joan.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.
Calleary, Dara.
Cannon, Ciarán.
Carey, Joe.
Coffey, Paudie.
Collins, Niall.
Conaghan, Michael.
Conlan, Seán.
Connaughton, Paul J..
Conway, Ciara.
Corcoran Kennedy, Marcella.
Coveney, Simon.
Cowen, Barry.
Deasy, John.
Deering, Pat.
Doherty, Regina.
Donohoe, Paschal.
Dooley, Timmy.
Dowds, Robert.
Durkan, Bernard J..
Farrell, Alan.
Feighan, Frank.
Ferris, Anne.
Fitzpatrick, Peter.
Flanagan, Terence.
Fleming, Sean.
Griffin, Brendan.
Hannigan, Dominic.
Harrington, Noel.
Harris, Simon.
Hayes, Brian.
Heydon, Martin.
Hogan, Phil.
Howlin, Brendan.
Humphreys, Heather.
Humphreys, Kevin.

Keating, Derek.
Keaveney, Colm.
Kehoe, Paul.
Kelleher, Billy.
Kenny, Seán.
Kirk, Seamus.
Kitt, Michael P..
Kyne, Sean.
Lawlor, Anthony.
Lynch, Ciarán.
Lynch, Kathleen.
Lyons, John.
Maloney, Eamonn.
Mathews, Peter.
McCarthy, Michael.
McConalogue, Charlie.
McFadden, Nicky.
McGinley, Dinny.
McGrath, Michael.
McGuinness, John.
McHugh, Joe.
McLoughlin, Tony.
Moynihan, Michael.
Mulherin, Michelle.
Murphy, Dara.
Murphy, Eoghan.
Nash, Gerald.
Naughten, Denis.
Neville, Dan.
Nolan, Derek.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
Ó Ríordáin, Aodhán.
O'Donnell, Kieran.
O'Donovan, Patrick.
O'Dowd, Fergus.
O'Mahony, John.
O'Reilly, Joe.
Phelan, Ann.
Quinn, Ruairí.
Rabbitte, Pat.
Reilly, James.

Tá—*continued*

Ring, Michael.
Ryan, Brendan.
Sherlock, Sean.
Shortall, Róisín.
Smith, Brendan.
Spring, Arthur.
Stagg, Emmet.

Stanton, David.
Timmins, Billy.
Troy, Robert.
Tuffy, Joanna.
Twomey, Liam.
Wall, Jack.
White, Alex.

Níl

Adams, Gerry.
Boyd Barrett, Richard.
Collins, Joan.
Colreavy, Michael.
Daly, Clare.
Doherty, Pearse.
Donnelly, Stephen.
Ellis, Dessie.
Ferris, Martin.
Flanagan, Luke Ming.
Fleming, Tom.
Halligan, John.
Healy, Seamus.
Healy-Rae, Michael.
Higgins, Joe.

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

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

Amendment declared carried.

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

Private Members' Business

Water and Sewerage Services

Deputy Brian Stanley: I move:

“That Dáil Éireann:

- affirms that access to water and sewerage services for domestic use is a universally recognised and basic human right;
- acknowledges that the right to water includes the right to clean and safe water, the right to equitable access to water without discrimination (including on grounds of income), and the right to freedom from contamination or arbitrary disconnection of the water supply;
- recognises that water is a valuable resource that is expensive to treat and distribute and that everyone has a duty to conserve it;
- believes that responsibility, including operational responsibility, for water production, treatment and distribution must remain with local authorities and within full public ownership;

[Deputy Brian Stanley.]

- affirms that public authorities must take effective management decisions to protect and improve water quality, and to promote and ensure water conservation and sustainability in an equitable manner consistent with the principle of progressivity;
- rejects the creeping privatisation of our most vital resource evidenced by the preferred option status of design, build and operate contracts with private companies in the area of water production and treatment services;
- alerts the Government to the danger that the current policy trajectory will shortly bring us to a situation where water services are entirely in private hands leaving the Irish public vulnerable to the profiteering price hikes and water poverty that have been witnessed elsewhere in the world, and particularly in countries under strong IMF influence such as Argentina and Bolivia;
- notes that the record of privatisation of water services in other jurisdictions is abysmal, demonstrating that the pursuit of such policies is not in the best interest of the people of this State;
- notes that the introduction of metering with any form of charge for domestic users signals the end of the Irish derogation from the European Union's Water Directive which exempts only our current practice from the full cost recovery principle, the consequence of which would be much higher household water bills than those currently signalled by Government;
- condemns the chronic and ongoing lack of investment in our water infrastructure, especially during the time of budget surpluses, with the result that up to 58% of treated water is lost by the distribution network before it even reaches households;
- considers that the €500 million which the Government intends spending on the installation of household water meters, rising to €1 billion due to the funding options being considered, would be better spent upgrading the antiquated distribution network and such investment would more than pay for itself in a relatively short time and both retain and create jobs in the local economy;
- notes that local authorities have substantial funding in the Water Services capital accounts which they are prevented from using due to the conditions imposed by the European Growth and Stability Pact;
- promotes the establishment of an All-Ireland Water and Sewerage Authority, the purpose of which would be only to ensure that water quality and environmental standards are met and to facilitate co-operation between local authorities on the island, reduce costs and maximise efficiency, leaving the operational responsibility with local authorities;
- rejects the use of stealth taxes and other forms of regressive double-taxation as a funding mechanism for domestic water whether said stealth taxes consist of a flat charge under any name or a flat rate charge with a meter; and
- affirms that the central taxation system is the only appropriate funding mechanism for domestic water."

The purpose of this motion is to restate Sinn Féin's opposition to the Government's proposed introduction of water charges. People should not be obliged to pay twice for this essential public service, which is recognised as a basic human right. It is Sinn Féin's belief — one which is not shared by the Government parties — that there should be equitable access to water without discrimination. I include in the latter discrimination based on grounds of income.

Everyone recognises that water is a valuable resource and is expensive to treat. We believe the process of treating water should be paid for through the central taxation system. Operational responsibility for water production, treatment and distribution must remain with local authorities. The resource of water must also remain in full public ownership. As already stated, water is an extremely valuable resource and it is one with which we cannot afford to take chances. We are calling on all Members to support this motion. I include in that people in the Labour Party who were opposed to water charges before they went into government a few months ago and those who informed people prior to the election that they would help them out of the hopeless economic hellhole in which they now find themselves.

I call on those Members who spoke out about water charges in the 1980s and 1990s to do so again. I refer, in particular, to the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Gilmore, who produced a leaflet in which he claimed that "water charges are just another tax on workers". I call on the Tánaiste to take a stand and to reiterate the views he espoused up to a few months ago just prior to the general election when he described water charges as another tax on workers that will be additional to PAYE, PRSI and levies. In the leaflet to which I refer, the Tánaiste criticised the then Government for attempting to make people pay for water while it was still "looking after tax dodgers". Little has changed in the interim with the exception of the dates, the currency used and the eradication of the principles of certain Members, combined with a wholesale disregard for the promises they made to the people who gave them the votes which enabled them to drive home in their ministerial cars.

People cannot afford another charge on top of the money they are already being obliged to pay out. They are already obliged to pay the universal social charge, various levies, PRSI, steadily increasing fuel bills and mortgage increases. In addition, it is proposed that they should pay a utility charge. All of this comes in the wake of absolutely brutal pay cuts and the reduction in working hours being imposed on people who occupy very precarious jobs. It must also be remembered that massive pay cuts have been implemented, officially and unofficially, across the public and private sectors.

It is easy for the Government to introduce a flat-rate water charge and say people will only be obliged to pay a small amount of money. Not one of those in government will be lying in his or her bed tonight having nightmares about his or her home being repossessed or dreading what is around the corner in the next budget. No, they will sleep soundly in their beds and they will not be at all bothered that they have cynically transformed a crisis in private debt that was caused by greed into one involving public expenditure.

Ideologically speaking, the Government must introduce a flat rate charge for water because to do otherwise would be to acknowledge explicitly that those who have more should pay more. As George Orwell noted in *Animal Farm*:

All animals are equal

But some are more equal than others.

Would Fine Gael privatise daylight if science found a way to allow it to do so? The introduction of water charges follows on from the process of creeping privatisation begun by Fianna Fáil and the Green Party when in government with the introduction of the design, build and operate,

[Deputy Brian Stanley.]

DBO, model. An example of the effects of this can be found in my home county of Laois, where private companies were contracted under the DBO model to provide water services and to construct and operate a number of water treatment plants and one major sewage treatment plant. Massive amounts of taxpayers' money was paid up front in respect of the construction costs relating to these projects. Now, however, the State through the local authorities is tied in to an expensive, long-term contract under which huge payments must be made on an annual basis to the private companies which run these plants. This is bad economics but it is also bad for local democracy.

Global water intelligence analysts believe the water supply market will grow by as much as 20% during the next five years. Water is big business. It is not surprising that a Government which is intent on feathering the nests of the haves rather than the have-nots now wishes to facilitate a situation whereby water is dealt with solely on the basis of market forces. I refer here to the very same market forces which are responsible for placing us in the situation in which we currently find ourselves.

Market-led solutions completely undermine the provision of essential services and have a negative impact on the poorest and most vulnerable communities.

Water privatisation is the most notorious example. One only has to look across at England to see what happened there, particularly to people living on low incomes, and the disaster privatisation has been for water provision throughout England, Scotland and Wales. Private companies exist to make profits. They are not going to maintain a profit while allowing for the mythical free allowance Fine Gael talk about. The Tories told the British people the privatisation of telecoms, electricity, gas and water was for their benefit. Unfortunately, utility bills now bear witness to the fact that this was not the case. The utility companies that own these facilities are making vast profits while the public are getting huge bills.

How will this water charge operate? What will happen to a person who receives a water bill in the post and cannot pay it? Will they be issued with a fine and how much will that fine be? When they cannot pay the fine will they be jailed? I presume so. Will this not be a further criminalisation of poverty?

Private companies operating water plants are a millstone around the necks of local authorities that have to pay annual charges to them. Local authorities do not have full control over what happens in the plants. I have seen this at first hand. Local authorities are locked into contracts with the companies and must abide by those terms. Consider a local authority that enters into a 25 year DPO contract with company X and the EU issues another water directive five years into the period of the contract. The trend of these directives is to improve the standard of water quality, which Sinn Féin supports. However, as the directive is outside the terms of the contract, the local authority will have no option but to pay the company more money to operate the plant to a higher standard. The local authority will be bound by a contractual obligation.

Water is a resource too valuable to play around with. We do not want to see the Irish public vulnerable to price hikes and water poverty. We have witnessed this elsewhere in the world, particularly in countries under strong IMF influence, such as Argentina and Bolivia.

Despite the need for local authority funding, councils have, for the most part, proved themselves in the area of provision of water. They have the local knowledge and engineering expertise to handle water services. In most cases, with a couple of exceptions, they have a proven track record. We are losing water out of the system because of the ineptitude of previous Governments. During the Celtic tiger years when there was money to fix pipes and install new systems, Governments did not do so. Instead, they gave tax breaks to developers.

That the Government plans to take extra money from taxpayers without putting it back into the system is farcical. The money will be used for meters. Local authorities have substantial funding in their water service capital accounts. This money could be used to fund the repair and replacement of the antiquated pipework system. Local authorities are prevented from using it by the Government's compliance with the terms of the EU Growth and Stability Pact. County Louth, for example, has collected almost €10 million in development levies. This cannot be used because of the Growth and Stability Pact. County Laois, my own county, has €7.5 million, which is substantial funding for a small local authority, that cannot be used because of the terms and conditions of the pact. The money must be maintained throughout the 12 month budgetary period.

We do not have to be beholden to the markets. We are asking the Government to put the needs of the Irish people ahead of the wishes of private interests, for once. I strongly urge all Members, particularly members of the Labour Party, to support this motion.

Deputy Peadar Tóibín: It looks as though Fine Gael has already started to tax daylight. Most of the Deputies seem to be in the dark with regard to the importance of this issue. It is notable that only one Deputy from the Government parties is in the Chamber. This is unfortunate.

Timpeall na tíre tá teaghlaigh ag strachailt chun a gcuid páistí a bheathú. Tá tuismitheoirí ag lorg airgid chun a bpáistí a thabhairt go dtí an dochtúir. Tá clainn ag sábháil gach uile pingin chun morgáistí a íoc. Tá saol uafásach deacair ann do dhream ollmhór ar fud na tíre. Níl mé ag caint faoi dhaoine dífhostaithe amháin. Táim ag caint faoi dhaoine atá ag obair. Dar le Social Justice Ireland, tá níos mó ná 100,000 duine atá ag obair ag marachtáil i saol an bhochtanais. Sin rud uafásach. Bheidh an Rialtas ag cur ualaigh níos mó ar ghuaillí na ndaoine sin. Tá sé ag iarraidh níos mó airgid a thógáil as pócaí na dteaghlach sin.

Tá athrú meoin tagtha ar an Rialtas, go mórmhór ar an Lucht Oibre. Roimh an toghcháin, dúirt an Teachta Eamon Gilmore go raibh sé díreach in aghaidh na táillí uisce. Dúirt sé go mbeadh rátaí comhréidh míchothram mar go mbeadh ar dhaoine a raibh seomra folctha amháin acu an méid céanna a íoc le daoine a raibh cúig sheomra folctha acu. Dúirt sé nach mbeadh an Stát in ann clár méadarú uisce a chur i bhfeidhm. Bhí sé go láidir ina choinne ach tháinig athrú ollmhór air an Teachta Eamon Gilmore ó labhair sé faoi bhealach an Lucht Oibre.

Before the election, the Labour Party said it would be their way or Frankfurt's way. However, the memorandum of understanding between Ireland and the EU commits Ireland to undertake an independent assessment of the establishment of a water utility. Ireland is also committed to introducing a property tax and water charges for domestic users under the EU-IMF deal. If Labour Party Deputies thought they would ever get to vote with their own convictions in the Dáil they have been rudely awoken. The fact that the Government signed up to the straitjacket of the EU-IMF bailout rules this out. It is in direct contrast to their pre-election promise and puts paid to any pretence that Labour Deputies have a free vote on this issue.

I am opposed to these water charges on a number of grounds, including the fact that they are happening as a direct result of the EU-IMF deal. This means that revenue will be collected from families who can least afford to pay and transferred from Irish citizens to bondholders of failed banks. Some Government spokespeople will say this money will be ring-fenced for the use of local authorities. However, the Government is Fianna Fáil mark two. It will continue the same policies of cutting back on the local government grant to each authority. The funding cut back by central Government will be replaced by water charges and the money saved by central Government will go to pay off bondholders.

It is a sad fact that this transfer of money is happening at such a time, when thousands of people are struggling. People are struggling to feed their families and are choosing whether to

[Deputy Peadar Tóibín.]

take a child to the doctor or the dentist. They are saving every cent they have in an effort not to go into mortgage arrears. At the same time, the Government is putting its hand into the pockets of those families and extracting money to pay off bondholders.

If the new flat tax, or meter tax, comes about it will be as popular as Thatcher's poll tax. The people of Ireland will treat the Government as that regime was treated in Britain.

Deputy Mary Lou McDonald: Efficient, effective, economic value for money public services are what we all want to see delivered to the people of this State and beyond. Clean water delivered through a first world network, minimising waste and employing the most up-to-date conservation measures, should not be too much to ask for in a modern country.

Supporting an all-island water network that prioritises water quality and environmental standards on an island as small as this makes sense. Keeping water, one of the most vital resources and an absolute necessity for life, in public ownership is the only sane option. Using the central taxation system to pay for it is right and fair. It seemed that in the first flush of Government decision making in early March, the incoming Administration was thinking along these lines. The programme for Government committed to create a new State company that would take over the water investment maintenance programmes of local authorities promising an acceleration of planned investments needed to upgrade the State's inefficient and leaking water network. That was what was promised.

However, now 100 days into the Government, we see that Fine Gael and Labour intend to heap even more pain on people so debt-ridden that they are already flocking in their thousands to organisations such as FLAC. People are desperately seeking jobs that do not exist and are at their wits' end trying to keep a roof over their heads and food on the table.

Water is the most basic of necessities. It is not a luxury or something we can choose not to use. A water charge of €170 would pay for two weeks' shopping, the monthly electricity or gas bill, or even the new school uniforms children will need when returning to school in September. This is not small change to the hundreds of thousands of low-paid workers whose pay the Government wants to cut, or the 450,000 who still have no work because the Government refuses to invest properly in job creation to boost the real economy.

The Government can make different choices. As hard as things are politics is still about choices. In government, Sinn Féin made different choices. Sinn Féin invested more than £1 billion to improve the North's water and sewerage services between 2007 and 2011. That is £1 million each day invested to improve the quality of the drinking water and the treatment of waste water in the Six Counties. This investment has delivered an extensive capital works programme. Two projects in particular stand out as examples of what can be done with political will — the Belfast sewers project and the water mains rehabilitation programme.

The Belfast sewers project was completed in spring 2010 and represented a total investment of more than £160 million in upgrading the city's sewer network and constructing a large diameter tunnel. These measures have not only reduced the pollutant loading on the River Lagan, but also reduced instances of flooding in the inner city by 85%, which represents a good investment by any standards. The water mains rehabilitation programme represents an investment of £80 million in upgrading and improving water mains. To date, more than 1,200 km of mains have been upgraded as part of this programme. These upgrades have helped to improve the quality, reliability and flexibility of water supply across the North while also reducing leakage.

In the North, despite pressure from Britain, Sinn Féin insisted that water charges would not be imposed. These are the kinds of decisions the Government in this jurisdiction needs to take

— decisions that invest in infrastructure, take people off the dole and boost the domestic economy. Water is not a luxury item and we must not be charged for it.

Deputy Pádraig Mac Lochlainn: I am sure people listening to or reading the report of this debate are not ignorant of this. All of a sudden our environmental conscience, and our need to save water and allegedly to spread the revenue burden for local authorities across a wider base have been discovered at the same time that the IMF with its track record of privatisation of public utilities throughout the world arrives in Ireland. It is shameful that our people have been squeezed to the bone — to use a water analogy they have been to the well repeatedly and now the well is dry. There is only so much that can be squeezed from our people.

As a former county councillor, I find the argument about water conservation farcical. Every year at the annual budget meeting we looked at the issue of water charges as they were applied to businesses, farmers and community groups under the diktat of the EU. We heard that it had to happen owing to the requirement for the user to pay and environmental concerns. At that same meeting it was reported to us that 40% — this could have been an understatement — of the water in the county was lost owing to antiquated pipe infrastructure and no doubt this was replicated across the country. While businesses and farmers were being squeezed to pay for water, we were losing almost half our water because of the pipe infrastructure.

If we are serious about water conservation Sinn Féin believes we need investment in our pipe infrastructure. If the IMF, EU and ECB were serious about the needs of the people and serious about environmental conservation, they would insist on an immediate investment programme in replacing our antiquated pipe system to ensure as much of our precious water is saved as possible. Of course that is not happening and instead we are being asked to pay. This is a three-card trick. The Minister and others have said this money will be reinvested back into local authorities and used locally. What will actually happen is that the money collected will go to the local authorities but the local government fund will be cut, which means the money will ultimately end up in the hands of the financial gamblers across the world who recklessly invested in this State. So our people will be squeezed not to help the environment or strengthen the local authorities, but to pay for our good friends in the international financial institutions, who have looked after us so well in recent years. It is a shameful episode. We need investment in our pipe infrastructure and obviously people need to be educated in water conservation and given incentives to do so.

I wish to touch on the international angle. The very people who caused our economic crisis through their deregulation, open and free markets, and their bible of unbridled capitalism, also believe passionately in the privatisation of public resources. Let us consider the track record of the World Bank and the International Monetary Fund in other parts of the world. In return for addressing debt, they have ensured that the water resources of these people are taken over. Veolia is doing considerable business in this country and is also doing considerable business in Israel assisting the regime there in its oppression of the Palestinian people. Veolia, a French multinational company, has a lovely track record in Bolivia where water charges became so high that they led to social revolution. I could elaborate for hours on the impact of the privatisation of water on poor people. Could any fact be more disturbing than the fact that the architects of the global financial crisis, which has had an impact on working families across Europe and internationally, are the very people who are now seeking to benefit from the agenda to privatise our most precious resource with a view to ultimately implementing another part of their agenda, the privatisation of our public infrastructure? It may start with the setting up of some quango taking control from the local authorities but this quango will ultimately be sold on, as is the plan based on the McCarthy report and others.

[Deputy Pádraig Mac Lochlainn.]

Sinn Féin will not remain silent on this issue. It sees the clear agenda that has been laid out by those who move the chess pieces across the board internationally. It sees how these people have used debt to take control of vital resources across the world. Thankfully, it also sees people fighting back across the world, particularly in Latin America. These poor, ill-resourced people are inspirational to others globally. Sinn Féin will join the international struggle to keep water and other vital national resources in the hands of the people, who pay taxes.

During a debate on the universal social charge, we were told by the Minister of State at the Department of public expenditure and reform, Deputy Brian Hayes, that we have one of the most progressive taxation systems in the world, that we should be very proud of the State we have built, and that we should be very proud when we drive through parts of south Dublin, where there is dire poverty and wealth beyond one's wildest dreams within hundreds of yards of each other. That the Minister of State, a Dublin man who has witnessed this disparity, can sit this Chamber and say we have one of the most progressive tax systems in the world is unacceptable. Shame on the Government for imposing another charge, another hit, on people who are already struggling, and shame on it for implementing the agenda of international financiers, who have already squeezed our people enough.

Deputy Michael Colreavy: It is approximately ten years since I first heard the phrase “polluter pays principle”, which emanated from the European Commission. I have no doubt all the Commissioners and MEPs nodded wisely and that the Government and Members of this House nodded wisely also. Humble councillors, including those of us on Leitrim County Council at the time, nodded when we read about the principle. We envisaged polluters as people who were setting out to destroy our environment. I refer to companies and factories that were careless with their emissions, thus destroying the atmosphere. I refer also to businesses that were fly-tipping, or dumping illegally, and to householders who were careless about how they disposed of their refuse. We thought these were the polluters but they are not the individuals to which the European commission was referring. Its view was that the compliant, law-abiding person, through the ordinary activities of daily living, had to generate some waste so he could be charged therefor. It was a case of punishing compliant citizens, namely, those who did try to minimise the adverse impact on the environment of ordinary living.

We are doing the very same through the imposition of water charges. What the Government proposes to do has nothing to do with conservation. It is not about people who waste water but about fattening public services and utilities for which the people of this nation and Europe have paid dearly so they will be attractive to privateers. It is not just a question of water and sanitary services. Our hospitals are doctor-fattening units from which investors can make a lot of money; they are no longer places where sick people go. Beds have been closed in public nursing homes and the money is being given to privateers in the private nursing home system. The same applies to the home help service and to tolls on our roads. Private contract workers, instead of local authority workers, are fixing roads. There are many such examples.

Water is most the basic ingredient of all life on this planet. Why do I say the charges are not about conservation but about privatisation? If it were a question of conservation, we would be fixing leaking pipes rather than paying €500 million €600 million — I forget the exact figure — to install meters. Why do we not encourage and support people to use untreated water for appropriate tasks? Why do we waste treated water flushing toilets, cleaning out cattle sheds, etc.? It is an outrageous waste of money.

In rural areas, where significant EU and Irish taxpayers' funding has been spent on improving the water network, are we to hand the system over to privateers whose only motivation is

profit? Will the Government reduce general taxation on the population to reflect the reduction in expenditure on water provision once it is privatised? That is very unlikely. Will the Government reduce water charges for those who currently pay them, including farmers, big and small businesses and members of group water schemes? There is no chance of this happening; they will be asked to pay more.

The Government-planned legislation is not about making it easy for people to do the right thing and conserve water. The Cabinet knows that, as does everybody who will vote on this motion. It is a matter of abdicating Government responsibility. The Government wants to transfer the cost of running the service from the Government to the citizen, and it wants to transfer responsibility for the operation of the services from local authorities and the Government to privateers, whose only motivation is profit. Even at this late stage, I ask that the Government examine the intent of our motion and incorporate its principles into its legislation. It knows this is the right approach.

Deputy Sandra McLellan: I welcome the opportunity to speak on this motion. As with other speakers, I acknowledge that water is without doubt a precious and vital resource, the demand for which will continue to increase in line with population growth and industrial activity. The supply of clean drinking water should not be taken for granted and we all, individually and collectively, must work to conserve it, at home, at work and elsewhere.

The need for an uninterrupted quality water supply is essential to the functioning of any First World society. The inverse relationship between its availability and the spread of water-borne diseases such as cholera is a major factor in world health. Worldwide, over 4 billion cases of bacterial infections transmitted through contaminated drinking water occur each year resulting in over 2 million deaths, particularly in young children.

Access to clean drinking and bathing water for us must remain a basic fundamental right, not a commodity to be influenced by external influences such as budgetary or market pressures. It should not be seen as a revenue raising opportunity. We only have to think of the *Cryptosporidium* outbreak in Galway or the devastating floods which affected many parts of the country, including my home county of Cork, in the past 18 months to witness the effect of an interrupted supply. Thousands of people were left without drinking and bathing water, queuing up to receive rations to ensure that they could continue with normal daily life. It must be remembered also that hundreds of people were left stranded without water, and forced to buy bottled water.

What was notable in a number of incidences was the way the market responded. In some areas the price of bottled water rose overnight. The supply and demand forces of the market meant that would happen. I have no doubt the Government's plan to attempt to bring in water metering and charges will undoubtedly lead to the privatisation of water services. As sure as night follows day, this will lead to increased water prices and the further misery for ordinary families.

It is impossible to deal with the issue before the House today in isolation. The suggestion that individuals and families might at some stage be forced to pay a tax on water must be analysed in the context of the current economic climate and the financial plight that so many people face on a day to day basis. It must also be assessed in terms of the absolute squander of the so-called boom years.

We cannot detach the threat of taxes from the fact that previous Governments, particularly in the past 15 years, had unprecedented resources to address the deficiencies and inefficiencies in our water infrastructure. They chose not to, just as they chose not to invest sufficiently in our energy and telecommunications network. Instead, we are left with a wholly inefficient water system which leaks millions of gallons a day from leaks that we usually cannot identify.

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When we can identify them we more commonly repair rather than replace, which only adds to the final bill to the taxpayer. This tax has nothing to do with conservation. It has everything to do with a devastating economic policy.

Likewise, this debate cannot be detached from the fact that the current Fine Gael-Labour Government is absolutely compliant with the Fianna Fáil-EU-IMF economic blueprint. The plans have been agreed. This Government seems intent on implementation. It is a natural extension of the EU-IMF agreement, given that so much of our money is going into a black hole, that regressive measures have to be considered.

The measures outlined by Fine Gael and Labour in the programme for Government and reiterated in the amendment to the Sinn Féin motion will have a devastating effect on ordinary people who are already struggling to meet their household bills. As usual, they will disproportionately affect the most vulnerable in our society who are those least able to pay. With energy and fuel prices increasing, exorbitant professional fees and interest rate increases looming, the relative cost of living in this State is driving more and more families into the red and now this Government, supported by the architects of the current economic crisis, is looking to heap more misery on ordinary families. I commend the Sinn Féin motion and urge others to support it.

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I move amendment No. 2:

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

notes that:

- the programme for Government provides for the introduction of a fair funding model to deliver clean and reliable water which will involve the installation of water meters in households and move to a charging system based on usage above a free allowance;
- the Government is committed to funding the metering programme in the most cost effective way possible;
- the programme for Government also proposes the establishment of a new State-owned water company, Irish Water;
- the memorandum of understanding between Ireland and the EU and IMF which commits Ireland to undertaking an independent assessment of the establishment of such a company and to the introduction of water charges during the period of the agreement;
- volumetric water charges will provide households with an important incentive to reduce their consumption of water, thus reducing the operational costs faced by local authorities in providing water services and providing longer term savings in relation to capital investment requirements;
- proposals for the establishment of Irish Water will be considered by Government before the end of 2011; and

recognises

- that the establishment of Irish Water as a State-owned company will provide an opportunity to create efficiencies and cost savings in the delivery of water services in

Ireland and to address problematic issues, such as unacceptable levels of leakage, at a national level;

- the capital intensive nature of the work required to install meters to over one million households has significant job creation potential;
- the continued high level of capital investment in the water services sector in recent years, involving Exchequer expenditure of €4.6 billion over the past decade;
- the Government's commitment to protect our water resources and our environment, to meet EU standards for drinking water and wastewater treatment and to provide critical infrastructure that will ensure ongoing support for economic development through the provision of €435 million in 2011 to fund the ongoing provision of water services infrastructure;
- that the Water Services Investment Programme 2010-2012 provides for substantially increased investment on network rehabilitation works which will considerably improve our ability to reduce rates of unaccounted for water;
- that the water framework directive provides a comprehensive, legal framework for the management of water quantity and quality.

I welcome the opportunity to speak to this motion. The amendment highlights the Government's plans to reform the management and delivery of water services in Ireland.

Providing access to safe and clean drinking water is of critical importance to me and to the Department. Extensive investment in water services in recent years along with increased regulation and more robust supervision of supplies has brought about a situation where drinking water supplies in Ireland are of a very high standard. This is borne out by the steady improvements in drinking water quality which have been reported on by the Environmental Protection Agency. We are fortunate also, unlike many other countries, to have available substantial water resources from which we can draw our drinking water supplies. However, while water may be relatively abundant in Ireland, the cost of treating raw water to the standard of a food product, which I would remind the House is the standard required of national legislation, is not cheap. Nor is the cost of operating waste water treatment plants to treat the water discharged to our public sewers so that we avoid serious pollution to our rivers, our lakes and our seas.

The State has invested heavily in water services infrastructure in recent years with total investment exceeding €5.6 billion over the past decade through my Department's water investment programmes. This investment was important in ensuring compliance with the European directives on both drinking water standards and urban waste water discharges and improving water supply to keep pace with population growth and economic needs. The Government is continuing to give priority to investment in this area. A provision of €435 million is being provided this year to fund the ongoing investment in water services infrastructure. This investment is required not only to expand infrastructural capacity, but also to upgrade our water supply distribution network to tackle uneconomic levels of leakage and improve operational efficiency. I accept that there remains a major problem with leakage from the distribution network and I am determined that this level of so called unaccounted for water will be reduced.

Ireland has a diverse water supply system, with over 950 public supplies producing some 1,600 million litres of water daily through a network of 25,000 kilometres of pipes. The extent of burst water mains places a particular focus on the vulnerability of the water distribution system, in particular given its age, the high levels of leakage in the system and the lack of investment historically in mains rehabilitation. The current water services investment prog-

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ramme, which runs to 2012, provides for increased investment in critical mains rehabilitation with contracts to the value of €320 million set to commence over the next year. This is more than double the investment of €130 million in water conservation measures in the entire period from 2003 to 2009.

As I have already stated, the increased investment in new treatment plants for drinking water and waste water has increased the operational costs for local authorities. More stringent environmental legislation and rising energy prices have also contributed to the increase in costs. Continuing previous policies of providing free water, with no incentive to manage usage, is clearly not sustainable.

The extent of the challenges we face is highlighted by reference to recent weather events. Just six months ago we experienced a sustained period of exceptionally cold weather, with some of the lowest temperatures ever recorded in Ireland, together with heavy snowfall. The subsequent rapid thaw which occurred over the Christmas period caused pipes to burst across the country and resulted in widespread water shortages. This week, as a result of very different weather conditions, the Dublin local authorities have issued warnings that they may need to restrict water supplies during the summer unless there is an increase in rainfall in the coming weeks. These climatic events highlight how finely balanced our water supplies are and they emphasise the need for focussed and strategic reform of the way we manage and deliver our water services.

The Government also recognises there are weaknesses in the current funding model for water services. The programme for Government provides for the introduction of a new fair funding model to deliver clean and reliable water. A new system of water charging for households on public water supplies will be introduced based on usage above a free allowance.

Ireland is unique in the developed world in not charging households for water services. Our unique position on this matter looks more untenable when we consider the increasing costs we are facing. In its environmental review of Ireland in 2010, the OECD highlighted the difficulties being caused by our failure to charge households for water based on usage. The OECD noted that Ireland's policy of providing water in the absence of charges gave households no incentive to save water or to minimise wastage. The OECD advised that the failure to measure water use further perpetuates the public's low awareness of consumption levels and the real cost of water services, and that a better understanding of costs could in itself promote some reduction in consumption. Moreover, the OECD pointed out that water metering removes inequities between households and ensures households using less water will pay less.

The OECD also concluded that the absence of water metering contributes to a lack of incentives in the planning system and building regulations and in practices, such as rainwater harvesting, that would focus on the water economy. The report of the group on green enterprise opportunities in 2009 highlighted that the introduction of volumetric charges would create a market for water efficiency goods and services, with future export potential.

International experience is clear in showing that water metering can achieve significant reductions in consumption. A recent delegation to my office from the National Federation of Group Water Schemes indicated that significant reductions in consumption were due to the fact that they already had meters. When households understand that they can manage their water bills through reducing consumption, they are provided with the necessary incentive to do so. In Denmark, a reduction of 12.6% in household consumption was achieved between 1996 and 2007 following the introduction of water meters, along with the promotion of water saving devices. The Walker report, prepared for the British Government and published in 2009, estimates that water metering in the UK has the potential to achieve a reduction of approxi-

mately 16% of average household demand through reduced personal consumption and reduced customer side leakage. At a recent conference on water metering, a speaker from Southern Water in the UK highlighted how universal water metering in the Isle of Wight had reduced consumption from 160 litres per person per day to 124 litres, which is a reduction of more than 20%. This clearly highlights the very real potential to create major savings in the annual expenditure on providing treated drinking water, and reducing the consumption of a finite resource.

However, there is another important reason metering is needed. Reducing wastage of water supplies should not be seen as a choice between water metering and water mains rehabilitation. Research carried out by the Dublin local authorities estimates average customer side leakage at 65 litres per property per day, and could be significantly higher in some locations. Evidence from the National Federation of Group Water Schemes, which has been a strong advocate of water metering, suggests that much of the water lost from the group water schemes through leakage is on the customer side. The installation of water meters will ensure that leaks can be identified and fixed.

Metering will achieve significant reductions in the volumes of water that are required to be treated every day and will lead to savings in the operational costs of delivering water services and in deferred capital expenditure. My intention is that the metering programme will begin in early 2012 and will be largely completed over a five-year period, although I expect to see significant progress in the first three years. The labour intensive nature of the works has the potential to create significant employment opportunities.

This domestic metering strategy will also offer a great opportunity to develop a new water conservation industry, again creating significant employment opportunities. There is no reason water should not be collected and reused in the same fashion as electricity is captured from wind or the sun. Businesses save thousands of euro off their annual water bills with conservation measures and the right technology. Similarly, households are also able to collect rainwater and treated grey water for suitable uses such as flushing toilets and wash-up facilities. The Department will be examining the possibilities to exploit the opportunities highlighted in the report of the group on green enterprise in this area.

As with any significant policy issue which is submitted to the Government, the potential impacts on low income households and other vulnerable groups will be taken into consideration. I am acutely aware that the economic decline overseen by the previous Government has made life harder for most households throughout the country. As set out in the programme for Government, all households will be provided with a free allowance of water and charges will only apply to usage above that allowance. The Department will also be developing a public awareness campaign to inform households of actions which can be taken to reduce their consumption and hence the cost of the water being used.

The programme for Government agreed between Fine Gael and the Labour Party also provides for progressive and considered structural reforms of the water services sector in Ireland. These reforms are important elements of the Government's strategy for restructuring the semi-state sector under our NewERA plan. Our intention is to have a modern, adequately resourced water services sector which will manage and deliver critical infrastructure to support economic recovery and employment creation. There is a need for a fundamental shift in the way water services are organised and funded in Ireland. However, it is important to acknowledge the considerable efforts of the local authorities to improve the services they have provided to consumers in recent years.

It is not the Government's intention to discard the expertise and knowledge which has been built up in the local authorities. On the contrary, we want to ensure that expertise and know-

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ledge is being deployed strategically and efficiently to meet the significant challenges facing the sector. For example, the adoption of river basin management plans last year marked an important step in the implementation of the EU water framework directive and provides the strategic direction for much of our future actions and investment in the sector. The move to a river basin catchment approach to water resource management will require greater co-ordination in the planning and delivery of all aspects of water services. Ireland's plans were published in July 2010 and will be updated again in 2015. These plans set out the quality status of water bodies, the environmental objectives for those water bodies and the measures which will be necessary in order to achieve the objectives. Out of eight river basin districts, there are three cross-Border international river basin districts. There has been very positive engagement with Northern Ireland in developing these cross-Border plans and we will continue to work closely with our counterparts in Northern Ireland to ensure that we meet the shared objectives set out in the plans. I will meet the Minister for the Environment in the Northern Assembly on 1 July to discuss those plans.

The landscape of water management is set to change in Ireland as we begin the implementation of the plans. There are many players involved, from Departments, State agencies and local authorities through to local groups and representatives of various water users. Discussions have begun between the main players on the governance arrangements that will best achieve the objectives of the river basin plans and thus, the best possible environmental outcomes. Integrated river basin management challenges existing administrative models and requires us to find new ways of working together.

Reducing consumption of drinking water reduces the need to abstract water from the natural environment. In regard to the suggestion for the establishment of a water and sewage authority to ensure that water quality and environment standards are met, this role is currently being fulfilled by the Environmental Protection Agency, which has statutory powers to ensure that we adhere to water quality standards.

The Government's NewERA plan provides for the establishment of Irish Water, a new State-owned water company. This is a priority but I am aware that the transfer of any functions from local authorities to the new company needs to be carefully managed. The Department is overseeing an independent assessment on the establishment of Irish Water which will commence shortly. This assessment will examine the optimum role of the company and assist in defining the functions of that company. The assessment will determine the most effective assignment of functions and structural arrangements for delivering high quality competitively priced water services to customers, both domestic and non-domestic.

The independent assessment which will include detailed implementation issues will be completed by the end of October this year. I will then be in a position to bring proposals to Government on the establishment of Irish Water before the end of 2011.

The Government has been clear that Irish Water will be a State-owned company. Its establishment does not represent the privatisation of water services nor the creeping privatisation of water services or any other course of action to bring water services into private hands. Irish Water will modernise the delivery of water services. The outcome of the independent assessment, the high levels of unaccounted for water and the low collection rates for commercial water charges are just two areas which could be improved by being addressed at a national level.

The creation of Irish Water and the introduction of a system of water charges by meter will transform the provision of water services. In these difficult times, we need to deliver our services and use our resources more efficiently and effectively. By delivering on the commit-

ments in the programme for Government, we can ensure that this happens. We will ensure that we have a modern adequately resourced water services sector and we will support economic recovery and the creation of employment opportunities.

Some matters arose in the contributions of the Sinn Féin Deputies on which I wish to put the record straight. I assure Deputy Stanley that with this Fine Gael-Labour Party Government, the people will be able to sleep soundly in their beds. We will tell the people the truth about the cost of water provision and how we will deliver a good quality product, which is recognised as a finite resource. We will tell them that we do not want to impose more income taxes but that we want a water services infrastructure provided and paid for on a pay as one uses basis. That is the most essential water conservation objective of any government and I am surprised that Deputy Stanley and others who spoke did not acknowledge that.

At least Sinn Féin stated explicitly in its motion how it would fund all these water services, namely, from general taxation. It wants to increase taxes on workers because that is the only way within the current EU-IMF agreement that it would get the money to roll out these provisions. Sinn Féin wants to increase taxes on workers to pay for an essential service such as water. We oppose that measure.

Sinn Féin, rather than the Government, is putting its hand in the pockets of workers and ordinary people by making that assertion.

(Interruptions).

Acting Chairman (Deputy Michael McCarthy): The Minister without interruption.

Deputy Phil Hogan: I was subjected to much provocation from the other side but I remained silent, so I am entitled to my turn.

Sinn Féin should tell the people the truth about where it will get the money and how much extra tax workers will have pay in order to meet the Water Framework Directive, which we must do by 2015.

Another straw man was raised, namely, that we will introduce a flat rate water charge. I have just explained there will not be a flat rate water charge. I am delighted to confirm that will not be a vehicle with which Sinn Féin can attempt to create a diversion. It will not fool the people in regard to these matters. It should not underestimate their intelligence.

(Interruptions).

Acting Chairman (Deputy Michael McCarthy): The Minister without interruption.

Deputy Phil Hogan: I know Sinn Féin must campaign on some issues but this will not be one of them.

I wish to nail some more political myths put forward in the contributions of the Sinn Féin Deputies. There will not be a flat rate water charge but a pay as one uses system through water metering. It will operate as an effective water conservation measure and will deal with a finite resource in the interests of households, businesses and jobs.

Water networks will continue in public ownership and will not be privatised. A rainwater harvesting programme will be included as part of our water conservation programme. There will be a generous allowance to assist low income families. If people want to waste water, they will pay for it, which should be the case.

I am determined to change the system to deal with the leaks in it. I pointed out that €320 million in these times is not a bad investment. I hope it will achieve most of the objectives but

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if not, we will have to continue with that programme. I agree with Deputy MacLochlainn that it makes no sense to have such disparities between local authorities in regard to leaks in the pipe network. Much work is required in water mains rehabilitation and it is my intention to do it.

I wish to improve water quality because people will only pay for water if there is a good quality product. People will only be satisfied paying for any service if it is a good quality product. We cannot underestimate the challenge to improve water quality to the extent we need to in order to ensure we meet our side of the bargain by giving the people a good quality product.

We want to ensure we have good volumes of water. There will be controversy in Deputy Charles Flanagan's area from which we will bring water from the River Shannon to meet, ironically, the restrictions which must be put in place in June 2011 on water supplies in Dublin. There are challenges in regard to volumes of water in addition to those in regard to the quality of water. It is a big undertaking for the State to meet those challenges.

I outlined my plan in 2009 in regard to these matters. We sought a mandate on the basis of water meters and we got one to implement that policy, which we intend to do. The people also voted for the Labour Party on the basis of the same policy.

Deputy Pádraig Mac Lochlainn: No charges without metering.

Deputy Phil Hogan: There will be no flat rate charge for water. I am sorry to disappoint Deputy MacLochlainn because I know that does not suit his political agenda. I am glad of the opportunity to put a lot of issues to bed and to nail any political myths. If Sinn Féin wished to put down a motion to campaign on an issue, it picked the wrong one in water services.

Deputy Niall Collins: I wish to share time with Deputy Éamon Ó Cuív. I am grateful of the opportunity to participate in this debate and I am sure we will have many more debates on this important issue. I listened with interest to the Minister who has again engaged in an attempt to spin a web of confusion around the troika of charges the Government will introduce, namely, a property tax, a water tax and a household utility charge. Despite everything he said, he did not really come clean on how he will roll out the water charge. We do not know the number of free litres per domestic household nor what the charge for usage above that will be.

The Minister said previously that he intends to introduce a flat rate household utility charge in advance of the introduction of a property tax. When I quizzed his party leader, the Taoiseach, about same, he tried to describe it as a forerunner to the introduction of water charges. There is a little bit of confusion there. When the proposed property tax and the water metering programme are rolled out, will the flat rate household utility charge disappear? We believe the Minister is introducing it as some kind of funding mechanism, because he is not clear on rolling out the metering programme. Will the cost of the installation of meters come from the household utility charge or from the National Pensions Reserve Fund or how does the Minister intend to fund it?

To the Minister's credit, he acknowledged there was a steady improvement in water quality over the past number of years and that there was considerable investment. My colleagues in Sinn Féin did not acknowledge that in the motion. Over the period 2000-09, the previous Government invested almost €4.6 billion of Exchequer resources in our water infrastructure and 476 major projects throughout the country were completed. There was, rightly, a significant programme under previous Governments for investment in water resources.

However, the debate must move on from that and we must focus on the future delivery of water services in this country. The public is anxious to know, with regard to the proposed charges, whether the household utility charge will disappear when a properly constructed infrastructure is provided to deliver water and meter it and when there is a fair charging system for usage above the free quota. The Government amendment states that the Government will introduce a fair funding model. We must know what that model is.

There are also questions, to which we must receive detailed responses, about the proposed establishment of the Irish water utility company. Will that take over all the core water provision functions from our local authorities? Will there be job losses for the many thousands of people employed in the local authorities? That has not been significantly explained. Is this the creation of another quango and is it necessary to take the option of creating one? The programme for Government promises the abolition of a number of quangos. I do not know how many the Government targeted for elimination in its first 100 days in office but I do not believe it has succeeded in eliminating any. From that point of view, is this the right model to choose and will there be job losses or enforced redundancies in the public services of local authorities? We must have clarity on that.

With regard to conservation measures, can we have more detail about harvesting rainwater? Will the Department produce a scheme over the next months and years whereby schools, clubs, businesses and households can avail of a properly structured grants or incentivisation scheme to invest in capital infrastructure to trap and use rainwater for toilets and other appropriate functions?

I am happy to take part in this debate. We will have many debates in the future on the imposition of water charges. The critical issues are what the free litre allowance will be and what charge will be imposed on households. The Minister says that the free delivery of water would mean an increase in taxation. The Government is attempting to have it both ways because it intends to introduce a water tax and the Minister for Finance, Deputy Michael Noonan, would not confirm or deny in the House last week whether there would be increases in income taxes in the next budget.

Deputy Éamon Ó Cuív: Tá fíor-áthas orm deis a bheith agam cúpla focal a rá faoin ábhar seo. I am glad the Minister acknowledged the €4.6 billion the previous Government spent on the improvement of water services and the plans it had to spend another €320 million.

The Department could reform the way it does its business. In the short time I was responsible for the Department I made it clear that I believed the system whereby a local authority had to constantly revert to the Department for permission, instead of devolving all the small schemes to the local authorities to be carried out with devolved funds, is a total waste of time and money. As a result, works are seriously delayed and engineers with the same qualifications as those in the local authorities are overseeing their work. It only enriches the consultants.

It is interesting that the Minister is proposing to establish another quango. The Government promised to get rid of many quangos but it has now found that most of them serve useful purposes.

Deputy Phil Hogan: The Deputy will see further developments on that in due course.

Deputy Éamon Ó Cuív: We will. However, the Western Development Commission, for example, and others are staying; the Minister said as much.

Deputy Phil Hogan: The Deputy did not read the full script.

Deputy Éamon Ó Cuív: We will watch that space and see if the Government delivers on that promise. There is a case to be made for a single, efficient delivery system for the main water services in the country. There is certainly a need to ensure that services are trans-border between the counties in an integrated fashion.

However, I would totally oppose any privatisation of water services. In County Galway the collection system was privatised and it is a disaster. It is very hard to deal with the company concerned and much easier to deal with the county council. When there are difficulties, one is obliged to go to the council which will in turn deal with the private company.

Deputy Brian Stanley: The case is made.

Deputy Éamon Ó Cuív: The idea that water is free is far from the truth. There is a huge cost to providing drinking water in houses, which somebody must pay. That somebody is the taxpayer. Regardless of what view one takes, water must be paid for by the taxpayer.

There are those who say one pays for it through VAT, income tax, corporation tax, excise duties and general taxation. That approach is irrespective of people's ability to pay and means one does not care if half the water is wasted. The ordinary poor person still must pay. The other alternative is to ask why, for example, a poor person should, through general taxation, pay for putting drinking water into a wealthy person's swimming pool. That is what the socialists are asking us to do. It is bizarre. Why should poor people be asked to pay for the profligacy and waste of people who cannot be bothered to mend the leaks in their houses or that occur between their front gate and their house?

If anybody thinks that the leaks issue in domestic properties is exaggerated, I can refer to a recent conversation I had with the director of services in Galway. He told me that when the council introduced farm metering, the scheme, which it had intended to expand and put more resources into because it could not cope with demand, suddenly became more than adequate for the demand. As soon as the farmers had to pay, all the leaks were mended and demand reduced by a huge percentage. This meant the possible investment being discussed could be put on the shelf because it was no longer needed.

The idea that water is free is ludicrous. The idea that in some way it helps the poor that they must pay for it every time they buy a pint or do anything else subject to general taxation is also ludicrous. They are paying for waste, something the taxpayer should not have to pay for in any circumstances. However, the free water allowance should be such that ordinary families who are careful should not pay for water. Furthermore, where there are special needs in a household, particularly where there are older people and people of low income, there should be a waiver to deal with such individual circumstances. The idea that one is somehow lifting a burden from the taxpayer by putting this under general taxation and allowing a high percentage of the water to flow into the ground, be wasted, used for swimming pools or wasted in other ways, is ludicrous and does not stand up to rational scrutiny.

There is one lesson we must learn in this country. No service is provided by the State or by the local authority that will not ultimately have to be paid for by the taxpayer. If one borrows in the short term, one is only deferring the evil day when one will eventually pay for it, and with interest.

Another issue I wish to raise with the Minister is one I was trying to tackle when I was in Government. There are people in this country who do not have access either to a good quality group scheme or to a public water supply. They are dependent on wells. The Minister's colleague, Deputy Michael Ring, is aware of a scheme in north Mayo, near Crossmolina, with which I was involved. There are many areas that do not have a public supply and the answer

to that problem was through the CLÁR programme, as I was implementing it. It gave top-ups on the group water scheme grants in these rural areas to ensure people received a water supply. A sum of €3 million per year over and above the group water scheme grants would solve this problem once and for all.

It is a basic, fundamental right of every citizen in this country to have electricity, telecommunications, water and a road of decent quality to his or her house. There will be all sorts of arguments about cost benefit from the Department but I refer to the actual cost, over and above the existing group water schemes grant. I am delighted the Minister of State, Deputy Ring, is beside the Minister because outside the door he will tell the Minister that, although we have had our arguments in the past, Deputy Éamon Ó Cuív is correct on this point. The CLÁR scheme was solving this problem for once and for all, at a modest cost, for people who would be more than happy to pay for water every year if they could get decent, potable water into their houses rather than being dependent on wells.

A further problem has arisen for people in that, if a son or daughter wants to build a house next door and there is no group scheme or public water supply, the son or daughter must pay up to €4,000 to sink a bore before applying for planning permission. The application for planning permission might be refused after all that but if the pipe is running past the house, the person could get a letter from the county council or group scheme and receive planning permission. I ask the Minister to seriously consider the CLÁR grants, which were modest and worked. They achieved a national policy that all of us should agree on, that everyone in this State should be entitled to a water supply of high-quality going to a house or home, irrespective of where they live. The modern tendency to think services should only be provided in a agglomerated towns and cities is totally contrary to the traditional way we provided services in this country. It makes me run cold when I think of what might have happened if this modern attitude had prevailed when we decided to provide electricity around the country. I know what would have happened. Electricity would never have got to the huge areas of rural Ireland that benefited from it. There was a policy of basic services, irrespective of cost, being provided to all our citizens.

Deputy Clare Daly: Amendment No. 1 reads as follows:

To add the following to the motion:

- “ — calls on householders to actively resist the imposition of a water tax by a campaign of civil disobedience and mass non-payment;
- calls on the trade union movement to actively resist any moves towards the implementation of a water tax or the privatisation of water supply including with industrial action; and
- demands a substantial scheme for a major programme of retrofitting homes with water conservation devices and technology which could save billions of litres of treated drinking water each year.”

I propose to share time with Deputies Joan Collins, Catherine Murphy, Luke ‘Ming’ Flanagan and Maureen O’Sullivan. The trouncing given to Silvio Berlusconi’s drive towards water privatisation in the Italian referendum last week should serve as a warning to Fine Gael and Labour about the critical nature of water and the way in which people deal with water. Two weeks ago, the assembled suits were in Croke Park and the Minister was slobbering over the prospect of profiteering from the Government’s decision to introduce water metering. This gives an indication of the real agenda, that water is being viewed as the new gold and the new oil,

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something for private interests to get their hands on and profiteer from. In moving the amendment put forward by the United Left Alliance Deputies, I put the Government on notice that they will not get away with this. It will be a step too far and we pledge publicly to initiate a campaign of mass non-payment and civil disobedience that will succeed in making the tax uncollectible, as we did in the 1990s.

The Government has a cheek to try to dress up this attempt to extort extra taxation in the guise of an environmental measure. Half of the State's housing stock was developed since we last abolished water charges and not one measure for water conservation was implemented. Not one measure has been taken to deal with leaks. The idea of taking money out of the pockets of workers who have already paid for essential public services, of which water is a crucial one, in ordinary taxation and taxing them again is economic lunacy. It takes money out of their pockets that they could otherwise spend in shops and small businesses. It is absolutely punitive because studies show how little disposable income families have, particularly in advance of the next hike in interest rates. The Government would do well to remember what happened to Margaret Thatcher when she attempted to bring in such charges. In circumstances where people could not pay and did not pay, that will be the rallying call of the communities and it should be the call of the unions. This will check this Government in its vicious attack on the living standards of ordinary people and the attempts to make an essential public service a commodity. In the same way as the Italians can make a stand on it, people in Ireland will also take a stand.

Deputy Joan Collins: We hear the same mantra from the current Government, using the IMF and the EU as a stick to beat us, that this is part of the IMF-EU agenda and must be implemented. I challenge the Government on that. The last thing the people of this country need is more taxes; what this country needs is more money. We need more money in the pockets of people to spend more money and create more jobs in our local shops and cities.

Water is an essential service. It is not an optional service such as the plastic bag levy, where one can buy a material bag rather than paying the surcharge on a plastic bag. This is an essential service and talking about waivers is an insult to the people of this country. We saw what happened with bin taxes. Waivers were introduced but within a number of years, most of the local authorities had handed over the service to private enterprise. South Dublin County Council has handed over this service to private enterprise and the waivers are practically gone in Dublin City Council. It is outrageous to say that this will protect the most vulnerable in our society. Within a number of years, the waivers will not be there and people will have to pay.

Along with Deputy Clare Daly, I warn that there will be a major campaign of resistance to water tax and property tax. Those who cannot pay will not pay. I heard the Minister on the radio saying that when he is going from door to door, people do not have the money. Our pockets are dry and we cannot afford to pay any more. People have disposable income of €70 per week and if the Government attempts to take any more, there will be major resistance. The United Left Alliance will be part and parcel of that process. I call on the trade union movement to do the same.

Deputy Catherine Murphy: I have seen at first hand the very real problems experienced by households in north Kildare. Water interruptions and loss of pressure has become a seasonal problem. Homes with small children and babies have gone without water for up to two weeks during the winter, while in dry spells in the summer the pressure is reduced to the point where some households do not have a constant supply. This is totally unacceptable. Water supplies in the greater Dublin area, of which north Kildare is part, are on a knife edge.

There are two reasons for this, the first of which is the lack of integrated planning. A large number of houses were built without complementary services being provided. Inadequate renewal of water pipes is not a problem in north Kildare because houses there are relatively new but there are serious problems in other places in the catchment area. It is a challenge to ensure security of supply and, at the same time, ensure hard-pressed households do not have an additional burden of taxation through stealth taxes. The introduction of service charges, through the Local Government (Financial Provisions) Act introduced by Fine Gael and Labour Party in 1983, drew me into politics. The tax marches took place in the 1970s, when the lion's share of taxation was paid by PAYE workers. There might be merit in a State-owned water company because it might better manage the limited resources. However, the EU-IMF deal commits Ireland to undertake an independent assessment of the establishment of such a company. I am concerned that they seek to neatly package water services in order to sell them as an asset. That is a major concern.

The principle of taxing waste is not one to which I am opposed but the details of this measure make me question whether that is the proposal and how it will play out. Does anyone think the State will invest €500 million in metering without recouping the sum? This measure is aligned to the European water directive, which enshrines the principle of full cost recovery, and makes me question whether the free allowance referred to by the Government amendment is an introductory offer to gain acceptance for the system. Once the metering system is in place it will creep towards full cost recovery as it is the EU, after all, that is in the driving seat. One way or the other we will pay.

If we are to have a secure supply for households and industry we must invest heavily in the development of new sources of supply and the elimination of waste. We must also change habits to reduce waste. Although there may be merit in the metering system, I am very sceptical about the ultimate intentions behind it.

Deputy Finian McGrath: I thank the Ceann Comhairle for allowing me the opportunity to speak in this debate on water charges and the urgent need to protect householders from extra taxation. We should be honest as once again people are being hammered and taxed for the greedy actions of others. They are being penalised for the dumping of another €24 billion into the banks. That is the real world now for many householders, low-paid workers and the unemployed.

Some 1.2 million people now have less than 5% of their income remaining at the end of the month after paying essential bills such as mortgages and utilities. This drives people further into poverty and hinders growth in our economy. A new flat-rate household charge will be foisted on householders and families by this new Minister, "Poll Tax" Phil. He is widely known by this name in Dublin North-Central. Instead of hitting workers and the unemployed with more taxes and spending millions of euros introducing water meters, we should invest in the real cause of wastage, which is the ancient water pipe network.

Deputy Michael Ring: Who will pay for that?

Deputy Finian McGrath: That accounts for up to 30% of water being lost before it reaches a single home. Where is the Government's policy on waste, as promised before the election, Deputy Buttimer?

Deputy Jerry Buttimer: I seem to be the Minister.

Deputy Finian McGrath: There are choices and we should be open about them. For example, by replacing our water network and introducing water conservation measures, including rain-

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water and grey water harvesting, we could put thousands of unemployed construction workers to work and help protect the environment in the process. These are the serious options and I hope “Poll Tax” Phil is listening to the debate. I know he was here earlier.

I condemn the chronic and ongoing lack of investment in our water infrastructure, especially during the time of budget surpluses, which in some places resulted in 58% of treated water lost in the distribution network before it reached households.

Deputy Jerry Buttimer: Deputy McGrath will vote with the Government then.

Deputy Finian McGrath: The €500 million that the Government intends spending on the installation of household water meters, rising to €1 billion due to the funding operation being considered, would be better spent on upgrading the existing distribution network. I challenge the Minister, “Poll Tax” Phil, to reverse this action.

An Ceann Comhairle: Deputies Flanagan and O’Sullivan have four and a half minutes between them.

Deputy Luke ‘Ming’ Flanagan: I now have about four minutes. I agree fundamentally with the principle that the polluter pays but I do not agree with the Government’s interpretation of what a polluter is. If I give my daughter a glass of water I am not polluting. If I give my daughter a glass of water, leaving the tap on for a half hour beforehand, spilling it on the way to her and leaving her with a small bit of water in the bottom of the glass, I am a polluter. One should pay for what one abuses rather than what is used, especially if there is no choice. The Government’s policy is to make it seem like it is trying to conserve water but as the other speakers have said, it is really just a neat packaging process so that it can sell one of our vital resources. The idea of metering is good but its intended usage is bad.

The Government has indicated there will be a certain reasonable allowance of water but consumers will have to pay when that has been used. That is fine as long as the allowance is reasonable but will there be a standing charge on top of that? It is never very clear what is happening with this Government but it seems there will be some kind of standing charge. I do not agree with that because many people will not be able to pay such a charge. If it is to be enforced, will some people not have any water if they cannot afford to pay the standing charge?

A survey was published by credit unions some weeks ago which was discussed in this Chamber and it indicated that people only have a minimal amount of disposable income once all their bills have been paid. In many cases this will mean people will not be able to afford water if it attracts a standing charge. We are to get a new national company that will not be privatised but what about the cogs in the company which are already being privatised?

An Ceann Comhairle: The Deputy is now in the time allocated for Deputy O’Sullivan.

Deputy Luke ‘Ming’ Flanagan: What about the seamless movement from one Government to the other where the policy does not change? No wonder people are cynical about politics.

Deputy Maureen O’Sullivan: Like many others I believe water is a basic human right, just like the air we breathe. I hope the next step will not be an air tax. Living in and representing Dublin Central I know very well about water, and flooding in particular. A major factor in flooding is the poor infrastructure evident in many areas and antiquated piping. There is also significant water leakage, leading to major shortages, as well as wastage on the other hand. If we had a proper system we would not need this debate. Instead of spending money on water

meters we should install a modern and efficient distribution network as that will create the jobs that we need.

I support the Minister's comments on rainwater, which is the way to go. I would like to see more of that thinking. Equally, an education or awareness programme on how to use water and not waste it would be beneficial. We could begin in this House with the amount of water that comes from taps just to wash our hands.

There is a proposal for a quango to deal with water. The water services should remain with local authorities but we know who is pulling the strings in that regard. This tax will lead to further inequality affecting low-income families and the increasing numbers of what are now known as the new poor. These water charges are a step too far in that regard.

The Government amendment mentions €4.6 billion spent in capital investment in water services in the past decade. There would be a state-of-the-art system in place at this stage if the money had been used efficiently and wisely. The bottom line is that many people cannot afford this tax.

An Ceann Comhairle: There are eight people sharing the next slot and they can work out the arrangements between themselves. The first six speakers have four minutes each and the last two have three minutes each.

Deputy Pat Deering: I am delighted to have the opportunity to speak on this important motion. I compliment the Minister and my constituency colleague, Deputy Hogan, on his enthusiasm in this issue. He has hit the ground running and I have no doubt he will continue until he ensures we sort out the matter.

Approximately 80% of the drinking water here comes from surface water, with 20% from ground water. It reaches our taps through a distribution system supplying the majority of our households. For this water to go from source to tap, substantial investment is required. We should think about how that happens and what is involved in the process. Fortunately — or perhaps unfortunately — we are one of the only countries in Europe that does not charge for water. We must bite the bullet and get real on the issue, accepting the fact that we are no longer in fantasy land.

It takes much money to bring water from source to tap. In my previous careers I was involved in farming and had to pay water rates in my home county of Carlow. I paid substantial water rates of approximately €6 per day. Average use of water in a Carlow household is 0.3 cu. m. of water per day, equal to approximately 75 cent per day of usage. That is not much to pay for a very important resource and equates to the cost of a third of a pint of beer. That should not be a disincentive.

It is essential for us to bring the system up to date. Water is a very important resource and if we do not update our processes and charge for its use, we will continue the case of a free service being abused. The old saying that one does not miss the water until the well goes dry was evident last winter and the previous winter, when pipes were frozen. People abused the system in towns around the country by leaving taps running and washing cars when their neighbours may have had no water supply. Such problems must be resolved, and the only reason they came about was because water is a free resource. Anything that is free is abused. I commend the Minister on taking the initiative. He hit the ground running and I wish him well in his endeavours.

Deputy Gerald Nash: I welcome the opportunity to speak on this important motion. It is not illogical to hold a fluid position on water charges but Sinn Féin's contortions are reminiscent of the great Houdini's water tricks. The party has consistently resisted the introduction of water

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charges in this jurisdiction even though it has adopted a more Jesuitical approach across the Border. For four years, the then Minister for Regional Development, Conor Murphy, MLA, had an opportunity to overturn legislation providing for water metering in Northern Ireland but he did not do so. Under his watch, 23,000 water meters were installed in domestic properties.

Deputy Jonathan O'Brien: There are no water charges in the North.

Deputy Gerald Nash: For four years he threatened to rule out water charges on a permanent basis but he did not do so.

Deputy Jonathan O'Brien: For four years he prevented change.

An Ceann Comhairle: Members should speak through the Chair.

Deputy Brian Stanley: Stick to the facts.

An Ceann Comhairle: Through the Chair.

Deputy Brian Stanley: He does not know what is happening up there.

Deputy Gerald Nash: I would like to proceed without interruption.

Deputy Martin Ferris: Why are Labour Party Members obsessed about Sinn Féin?

Ceann Comhairle: I ask Deputy Ferris to desist.

Deputy Colm Keaveney: Do not be obsessing about the Labour Party.

Deputy Gerald Nash: Northern Ireland was treated to an annual series of denials of the inevitable until the poisoned chalice was handed over to a hapless member of the Ulster Unionist Party and Sinn Féin washed its hands of the issue. The dogs in the street know that Stormont will soon be introducing water charges with the agreement of Sinn Féin for the same reason as they are being introduced here, namely, they are an economic necessity. Like many Members, I wish we could maintain the provision of water through the central taxation system but to assert this could remain the case is to betray a wilful ignorance of the crisis facing this country.

Any new system must be informed by fairness, equity and conservation, as well as take into account the ability of households to pay. It is essential that the operation of the water service does not fall into private hands. The Labour Party is committed to a wholly State owned water utility that is managed and delivered under democratic control. Sinn Féin would have us believe the rains that fall on the Cooley mountains can be brought free of charge to the tap if it happens to flow south but must be paid for if it flows north. The only difference between that party's policies and the Labour Party's approach to water charges is that we are being up-front with the people instead of hiding behind half-truths and evasions. History taught us that Houdini's water tricks were only elaborate deceptions. The same judgment will be passed on the tricks that Sinn Féin is performing in Northern Ireland.

Ceann Comhairle: I call Deputy Noel Harrington.

Deputy Brian Stanley: What about the Labour Party somersaults on the bank guarantee?

Ceann Comhairle: I ask Deputy Stanley to give the same respect to other speakers as he received himself.

Deputy Colm Keaveney: Who signed the paper?

Ceann Comhairle: Please, Deputies.

Deputy Noel Harrington: Wars have been fought around the globe over water but I did not think they would come down to this parochial level. This debate is welcome because most of us agree that water is precious. It has to be treated and supplied in a way that ensures security and high quality. Somebody must pay for that service and I fundamentally believe in the principle that the user should pay. A funding model that taxes everybody to provide water to every household across this land will not work. A considerable number of households in rural areas throughout this country do not tap into public water supplies, do not draw funds from the State and should not have to pay for other people's water and wastage.

Many Members of this House came through the local authority system. I spent 12 years on Cork County Council. Every local authority manager or engineer argues that the water pricing model which local authorities have used for the past several decades is fundamentally flawed. The €4.6 billion invested over the past decade, which we acknowledged in our amendment and which was trumpeted by Fianna Fáil, is another case of throwing money at a problem. It was like pouring money down the drain.

When meters were installed for non-domestic water supplies, leakages were found to have occurred between the meters and the taps rather than in the municipal system. That fact has been ignored thus far in this debate. By installing a metering system we can at least identify where water leaks occur. If water leaks occur in the municipal system they can be found easily even if they are not so readily fixed. However, the water that is lost between the meter and the tap is not so easily isolated.

I have reservations about charging people who cannot afford to pay a standing charge and there should be exemptions for those on social welfare or low incomes. The issue of privatisation has been raised by other speakers. In light of the experience of the UK's privatisation of water utilities in the 1980s, we must ensure the fat cats do not reap the benefits. Thankfully, capacity is not an issue for this country because our climate provides us with plenty of water. Our problem is to ensure water security and quality. Every household has a right to quality water but we have to develop an adequate funding model. The Minister's proposals will help us to achieve that goal.

Deputy Kevin Humphreys: I welcome the Sinn Féin motion. This is the type of issue we should be debating because water is critical to the future development of industry in Ireland. I am a strong supporter of the Dublin water supply project. The Dublin region is key to economic growth but the entire region is on the same knife edge that Deputy Catherine Murphy described in respect of County Kildare. A reliable supply of water will play an important part in our industrial strategy, in combination with our corporation tax rate and measures to attract new companies and industries. Water supply was a key reason one major technology company decided to create thousands of jobs in the Kildare area. However, Intel will need an additional 4 million litres of water by Christmas if it is to continue creating the jobs this economy so badly needs. By 2014 the Dublin region will have brought on-line an additional 20 million to 30 million litres but beyond that there are no areas from which we can draw supplies. If we fail to plan for further expansion there will be repercussions for the wider economy because of the proportion of taxation raised in the Dublin region. We have a limited strategic reserve of water and new sources must be found. The Garryhinch water project will be important in that regard.

Several Deputies raised the issue of water metering. A pilot scheme was introduced in one area in Dublin whereby smart meters were installed and mains were replaced. It was discovered

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that three houses were using a volume of water that was the equivalent of 160 houses. That is a total of 70,000 litres of water a day being lost from the system due to a leak in those three houses. The pipes were on private property. There is a need to amend legislation. When those people were not paying for the 70,000 litres of water, there was no reason for them to fix it so taxpayers money just went down the drain.

It is important that we have an informed debate. I am sorry that Deputy Finian McGrath has left the Chamber. Like me and Deputy Ellis, he was a Dublin city councillor. We took our job seriously. Dublin city has a low pressure system. Deputy McGrath left the Chamber having said that Dublin loses 30% of its water. Dublin was down below 30% and was going in the right direction but in a low pressure system the maximum by which one will reduce leakage is 20%. After that there is no cost benefit of further investment within the system. I am disappointed but not surprised that Deputy McGrath threw out wild figures and then left the Chamber.

We need a State company. Am I okay on time, a Cheann Comhairle?

An Ceann Comhairle: The Deputy has seven seconds.

Deputy Colm Keaveney: You should give him an allowance, a Cheann Comhairle. This is a high pressure moment.

Deputy Kevin Humphreys: There has been a certain amount of scaremongering. A positive aspect of water metering is that it could reduce the amount of water used and help to conserve it.

Deputy Eoghan Murphy: I will confine my remarks to the motion itself and the amendments tabled. There is clearly an ideological thrust to the motion. That is to be welcomed. It is probably communist, which I do not welcome. The problem with the motion is that no solutions are offered. It is a list of preambular paragraphs with no operational clauses.

In the first paragraph water is described as a basic human right. It is not a basic human right. It is not in the United Nations Universal Declaration of Human Rights nor in the European Convention. Interestingly, in 2010 the General Assembly did say that access to water was a right but this country abstained from the vote. That is an academic point and serves no purpose in this context but what I am trying to explain is that there is nothing of substance in the motion.

Reference is made in paragraph 4 to operational responsibility being maintained by local authorities. There are more than 30 local authorities dealing with the issue and the proposers of the motion wish the *status quo* to remain. Unfortunately, water collection, treatment and distribution do not know the political boundaries we have in this country. We must look beyond that. We must look at the economies of scale we can find if we pool our resources. That is what the Government is attempting to do.

Paragraph 6 deals with the creeping privatisation of our most vital resource. We are not talking about that; we are talking about service delivery. We are not talking about privatising the rain, which is impossible. In paragraph 10 the motion condemns the chronic and ongoing lack of investment in our water infrastructure. I completely agree with that, but that is what we are trying to address with the Government amendment.

Reference is made in paragraph 12 to the European Stability and Growth Pact. Unfortunately, I was not present for the entire debate so I am not entirely sure what that is about. I would like to know more. In paragraph 13 the motion promotes the establishment of an all-Ireland water and sewerage authority. If one is not going to give the authority revenue raising

powers or a budget, it will have no powers at all. In effect, it is the establishment of another quango, which we on this side of the House are currently trying to abolish.

Deputy Jerry Buttimer: Hear, hear.

Deputy Eoghan Murphy: Paragraphs 14 and 15 deal with taxation. From the outset the Minister has not mentioned this as a taxation initiative. It is a conservation measure. We are trying to stop wasting our resources. We are wasting them, both natural and financial, and we need to address that, which is what we are trying to do.

Three amendments have been offered by Members of the United Left Alliance. They are operational clauses, which is to be welcomed. The first one is quite dangerous. One cannot stand for election in a democracy, come to the House to debate a Bill, issue or motion, lose the debate and then go back to the people and call on them to break the law. One cannot have it both ways. This is democracy. It is not protest and it is not peaceful. It should not be encouraged nor should it be welcomed in this Chamber.

The second paragraph of the amendments refers to calling on the trade union movement to actively resist any moves towards the implementation of a water tax but all that is happening here is that the proposers are exposing their vested interests. In the third paragraph there is a demand for a substantial scheme involving a major programme of retrofitting homes with water conservation devices and technology which could save billions of litres of treated drinking water each year. That is an excellent idea. It is something we must do. However, there is no indication of how we are going to do it. The answers lie in the Government amendment.

There is a genuine need to do something. One can forget one's ideologies and leave them at the door. People need access to clean, drinking water every time they turn on the tap. We have big problems in Dublin, as Deputy Humphreys has alluded to, and the Government needs to address that. We do that in our amendment. That is the type of approach the Government is taking. I accept we need time to discuss the matter but I would appreciate more substance in the motion put before the House.

Deputy Colm Keaveney: I am happy to have the opportunity to speak in the debate on such a critical issue. I have consistently opposed the introduction of an unmetered, flat-rate water charge. In that regard I welcome the Minister's comments of clarification. He has been crystal clear on the issue. Some of the commentary from certain sections of the House has been unfair. There is no doubt that water is a valuable resource and every one of us has a right to clean, safe and plentiful water. At the same time, we must recognise that water is not a limitless resource. It comes to us processed and it is an expensive commodity. It is expensive for taxpayers to treat and to distribute. Each of us has a personal responsibility to ensure we conserve and use water wisely.

In that regard the Government intends to take effective steps to improve water quality and ensure further water conservation. We must avoid using a flat-rate charge to plug the gap in the Government's finances which were inherited by the Government supported by Deputy Finian McGrath, who has absented himself again today from the debate.

The Labour Party, as has always been the case, is firmly opposed to any discrimination where water is concerned, especially on grounds of income. Our two primary goals in that regard are to improve water quality and ensure water conservation. They must be met in an equitable manner, one which does not unfairly hit poorer households in this country. A flat-rate charge would provide absolutely no incentive whatsoever for people to be economical with their water usage. For those who wish to conserve water and lower their household bills, a flat-rate charge would effectively remove the option for them. Any proposed water charges should not cause

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undue hardship to struggling families. A metering system is the fairest method through which charges can be introduced. I welcome the proposal to introduce such a system.

As many of my colleagues in the Labour Party have explained in recent weeks, the metering system will expedite a fairer billing system. Not only that, but it will provide much needed employment for small builders and contractors across the country. I do not resent the idea of paying for water. I pay for it myself in a group water scheme. I pay far more than the proposed charge that has been mooted in the print media. I strongly condemn the use of what appears to be a type of double-taxation as a funding mechanism for domestic water. Water is a commodity. It is a valuable resource. I fail to understand how the installation of water meters along with a flat-rate charge makes any sense at all. Surely it is unreasonable to believe that installing meters in people's homes, while at the same time hitting them with a disproportionate flat-rate charge would do any good for the conservation of water.

I strongly support and recommend the introduction of a national waiver scheme, whereby the poorest and most vulnerable families in Ireland would be exempt from proposed water charges. It is crucially important that significant investments must take place along the lines indicated by the Minister. It is an indictment of the previous Government that the average national rate of water leakage is 58% after €4 billion in resources has been pumped into the system in the past 14 years. At a time of scarce resources it is deplorable that treated water would go back into the ground again.

Deputy Jerry Buttimer: The debate forces those of us elected to this House to make a decision between being practical and prudent or taking a populist approach that would, ultimately, be of no benefit to the people whom we are supposed to represent. It is important to put on record that what we have, as in Northern Ireland, is a fragmented, inefficient and outdated water supply system which costs €1 billion of taxpayers' money. Yet Deputies want to tax ordinary people. Shame on them.

It is important we acknowledge that the Minister is being responsible and has laid out the Government's position quite clearly and with no ambiguity. We will have a water meter company that is State-owned. The Government plans to reform, manage and deliver water services; this will be done over its lifetime. No flat water charge will be imposed. We will be tackling leaks. Deputies O'Brien and McLellan will know that leaks are a major issue in Cork; this will be addressed by the Government. It is a challenging issue. We must look after the people who need to be protected but, equally, we must recognise that water is a precious commodity that must be preserved. We must all challenge attitudes towards the use and conservation of water. I welcome the Minister's commitment to ensuring a fair charging model, which is important and necessary.

Deputy Tóibín of Sinn Féin likened the water charges to Mrs. Thatcher's poll tax in the UK when he said the people of Ireland would treat this Government as those of the UK treated Mrs. Thatcher's. They put Mrs. Thatcher back in Government for three terms, and I hope they do the same with us, because we will be fair and honest. We have been up-front with the people, as the Sinn Féin Deputies should have been, but they have not.

Deputy Dessie Ellis: Where is she now?

Deputy Martin Ferris: Consigned to the dustbin of history.

Deputy John Lyons: If there is any time left when I have finished, I would like to pass it on to Deputy Dowds.

Before all these young people in the Visitors' Gallery leave, I will point out that they probably know more about conserving water than most of us in the House through the green flag system. I was recently at a school that received a green flag for water conservation. It is appropriate that there were young people in the Visitors' Gallery while we were discussing this. They probably could have told us a thing or two we would not have known. I hope the debate was meaningful for them.

I am happy to speak on this motion, which requires a lot of debate. I agree with many aspects of the Sinn Féin motion, particularly in that it highlights the challenges we face in maintaining a secure and safe water supply. However, guaranteeing a safe and secure water supply requires sustained investment and, as we already know, water is very expensive to obtain, treat and deliver. An example of this is the Dublin system. It is estimated that approximately €1 billion is needed over the next ten years to keep the existing supply going. It is also recommended that between 10% and 20% is needed in reserve to deal with potential losses due to events such as the bad weather we had over the last two winters. A recent report by the RPS group about the Dublin City Council water supply states the water supply in the greater Dublin area is on a knife-edge. Projections show that demand will outstrip supply within the next ten to 12 years.

It is clear from that message that we need to do something about our water supply. Most people in the Chamber are in agreement with that. The most important thing we need is a co-ordinated approach to increased conservation and sustained investment if we want to tackle our current and future water supply problems. If we are to do that, we need money. Investment in water supply will cost money. Let us get real. We have a budget shortfall of €18 billion for this year. As a State, we currently cannot provide basic services such as policing, nurses and teachers, nor pay the salaries of the general public service. If we are to have an adequate 21st century water supply we need to find a way of achieving this, and it will involve some sort of charge. Everybody here must face up to that.

We were not the ones who decided to do this. It is interesting that nobody from the Fianna Fáil Government is here today.

Deputy Robert Dowds: Ex-Government.

Deputy John Lyons: That is, from the previous Fianna Fáil Government, because it is responsible for today's debate on water metering. We have been left with this legacy and we are trying to come up with a system that is as fair as possible. As the Minister himself said when speaking earlier, this is a fair funding model.

Any introduction of metering, which is going to happen, must be fair and must take into account those who do not have the ability to pay, such as those on social welfare. I believe an adequate general household allowance must be given to families around the country, and for usage over and above this we must operate on the "polluter pays" principle.

I agree with most of my colleagues on both sides, but we must be realistic in this debate. We need to have some sort of metering system.

Deputy Robert Dowds: I thank Deputy Lyons for sharing time.

I would like to make four practical points, but I will not get into the general debate. I ask the Minister to note that one area in which we can tackle the water problem is our usage of toilets. In any household, toilets are probably the things that use the most water. I looked up the figures before I came to the House, and found that a toilet uses between 6 and 13 litres of water with every flush — I dare say most Irish toilets are at the upper end of that scale. If

[Deputy Robert Dowds.]

people were encouraged to install toilets that use less water, that would be one important way to conserve water.

I ask the Minister to consider, when meters are being installed, a system of rewarding people who install them on their own initiative. If there is any way of using untreated water for toilet systems, that might help with expenses. I appreciate there may be difficulties with this, but it might be worth examining whether water collected from roofs, for example, could be linked with toilets. People have traditionally collected rain water in barrels and so on, and the more we can make use of this the better. I know some work is being done on this by a company in Carlow and probably others.

Deputy Martin Ferris: May I share time with my colleagues?

An Ceann Comhairle: Yes. Deputies Ferris, O'Brien, Ellis, Ó Caoláin and Doherty have five minutes each.

Deputy Martin Ferris: Apart from the fact that water charges represent another imposition on already hard-pressed households, they will not, as claimed, address the major issues surrounding wastage. The generally quoted estimate for the amount of water lost between source and consumer is 40%. For my county this is much higher, at 48% in 2008. There is clearly an issue to be addressed, but surely the expected cost of €500 million or more to install household meters could be better used. If that money was spent on upgrading and improving the efficiency of the supply system, it would do much more to cut down on the amount of water being lost.

Much of the wastage that does take place is in commercial outlets rather than domestic homes. The last time I spoke on this issue in the Dáil, I cited the example of Starbucks in Britain. A number of years ago Starbucks, due to constant running of water taps, was wasting 1.63 million litres of water every day — the equivalent of the daily usage of a town of over 10,000 people. Undoubtedly, there are similar examples of commercial wastage here. This is something that ought to be tackled before additional charges are placed on domestic households, many of which would find water charges a major additional burden on their income.

I note from reading the Fine Gael Private Members' motion that was debated here in January that it stressed the need to allocate central funding to investing in and weather-proofing the mains in order to tackle wastage. I also note that it was not suggested anywhere in the motion that households be metered and charged for domestic usage. In fairness, Fine Gael did state that it favoured water charges and metering in its election manifesto. The Labour Party, on the other hand, stated in its manifesto that it was opposed to water charges. It is clearly stated, "Labour does not favour water charges". At least Fine Gael was honest about this issue. When the Minister of State, Deputy Fergus O'Dowd, was asked about this in April, he claimed the origin of water charges, and the reason they have to be imposed, lay in the memorandum of understanding underlying the IMF-EU bank bailout. Again, that displays some honesty.

At least we now know this aspect of the Government's policy is being dictated by external and unelected people. The same applies to the planned attack on wage orders and the joint labour committee regulatory system, the review of the credit unions and so on. Water charges have nothing to do with conservation or even local finances. They are all about finding more ways of extracting people's hard-earned household budgets to pay back an unsustainable debt contracted on behalf of a small group of incompetent, and in some cases corrupt, speculators, many of whom will not have to worry about paying water charges because they have already scurried away to their tax havens.

The Fine Gael proposal in its Private Members' motion last January to establish one publicly owned water authority also had merit. Sinn Féin would support the establishment of such a body, as long as it would be on an all-Ireland basis given the logic of managing this resource on a national scale rather than having it divided, as it is currently, among different authorities. We would also insist that such a single body would not be seen as preparing the way for the eventual privatisation of the water supply.

The McCarthy report did not explicitly call for this although it did recommend, in line with the EU-IMF template, that metering be introduced and referred to the emergence of a commercialised water sector. The report engaged in some convoluted philosophising about natural monopolies and how they are best regulated. It also recommended that when they are privatised, the State would adopt the same so-called safeguards as in Britain. These are supposed to protect security of supply and so on.

The report neglected, however, the historical fact utilities such as water were taken into public ownership in the first place. It was not because of any ideological imperative but because private enterprise could not make profits from a universal supply. To now sell off such utilities, having been built up over generations with public investment, would be immoral and a regressive step. It would also, as has been the experience in other countries including Britain, mean not only paying for water but paying for a worse service.

Deputy Jonathan O'Brien: The Sinn Féin Private Members' motion affirms water as a natural resource, access to which is considered by most in modern society to be a basic human right, as well as the provision of adequate sewerage systems. When this debate concludes later this afternoon, however, we will not vote on the Sinn Féin Private Members' motion but on the Government amendment to it. The constant stream of so-called Government amendments we see every week in response to Private Members' business says everything about this coalition's style of governance.

The Government parties have such little confidence in their positions that they are unable to debate Private Members' motions robustly. If they do not agree with a motion, they should simply vote against it. Are Members opposite so uncomfortable to debate an issue, which causes many of them embarrassment, that they feel the need to run for cover behind an amendment which in effect is a separate motion in itself? It is about time that Members opposite found a conscience, got a bit of backbone and took the right course of action. Labour Members should do what they said before the election and support the Sinn Féin motion on water charges.

This motion is about basic human rights and the provision of a service which is vital to human life, one which all in this House must defend. It is not a right which should be sacrificed, like many other rights and entitlements, at the altar of the EU and the IMF, an altar which has become a convenient cover for this Government to justify the continuation of failed Fianna Fáil policies regarding slash-and-burn policies in the name of the troika.

Every day in this Chamber we hear stories about a dysfunctional health system, an education system that is leaving more and more children behind and a society in which carers have been abandoned. Ours is a society in which our jobless figures grow daily and where the number of people facing eviction and personal ruin rises weekly. At a time when people are desperately seeking a chink of light at the end of the tunnel, when they are praying nightly for some ray of hope, political representatives have an onus to act. More importantly, the Government has a moral responsibility to provide strong leadership and put the national interest above all else.

Instead, rather than standing up for the less well-off in society, the Government proposes to further financially crush those who are barely keeping their heads above water.

Deputy Robert Dowds: Rubbish.

Deputy Jonathan O'Brien: While not knowing any of the personal circumstances of the Deputies from Fine Gael and Labour, it is safe to say they all live in relative comfort. None of them are lying awake at night worrying about when the next letter threatening to cut off the ESB or repossess the family home will be in the letter-box. This makes the feigned concern we hear all too often in this Chamber from some quarters all the more disgusting.

All we get is the same old mantra of how Fianna Fáil left such a mess that nothing else can be done but to implement its failed policies. I hear soundbites coming from the Government benches that painful decisions must be made as a result of the constraints of the EU and IMF bailout negotiated by the previous Administration. However, the only pain being felt is that by ordinary people. There comes a point where a Government must stand up for itself and the people it is supposed to represent. The provision of clean drinking water free from charges is one such point. The time has come for Members opposite, especially those in the Labour party, to grow a pair and do what is right, not what they are told by their paymasters in Europe or Fine Gael.

If they need any reminder of what the right thing to do is regarding the austerity cuts being imposed on us by the EU and the IMF, they should recall their party leader's words from December last year:

I described that agreement as a sell-out at the weekend but it was not until yesterday evening that we got the document containing the full details of the sell-out. It is an extraordinary document. The Government is effectively proposing to agree the budgets for the next three years with the EU and with the IMF. It is down to a level of detail that we have never seen before, and includes amounts of expenditure and amounts of tax, specific timetabled commitments in respect of property taxes, water charges and pensions, none of which has been legislated for by the House. It amounts to a surrender of the country's economic freedom. That is what is contained in this document. The Labour Party cannot be bound by what is contained in the document, not only for democratic reasons, but also because it will not work.

The Government needs to lead, to stop offering snivelling excuses and drop the line that it is all Fianna Fáil's fault.

Deputy Dessie Ellis: Tá uisce an-tábhachtach do gach éinne. Caithfimid an seirbhís uisce saor in aisce a chosaint. Tá formhór na ndaoine ag streachailt faoi láthair, seachas airgead breise a íoc. Is mór an trua é nach bhfuil na píopaíá deisiú againn. Sábhálfadh sé sin airgead agus uisce, in ionad brú maoine a chur ar daoine.

When he spoke out against water charges in the past the Tánaiste and Minister for Foreign Affairs and Trade, Deputy Eamon Gilmore, said, "Water charges are just another tax on workers, on top of PAYE, PRSI and levies". He was right then and he is still right. Water charges are a tax on the poor and the working people of this State.

They are a double tax at a time when workers are paying more than could be considered a fair share to fund the black hole that is the banks and have been obliged to accept the dead end that is the EU-IMF deal. They are being introduced by the more-of-the-same Fianna Fáil-lite Government whose members sit opposite us.

The first line of the motion before the House, which was tabled by my colleagues in Sinn Féin and I, states that "access to water and sewerage services for domestic use is a universally recognised and basic human right". Access to clean water on an equitable basis must be recog-

nised as a fundamental right in any society. How can it be considered equitable that those who shoulder the largest burden in our economy — I refer here to the people who have faced the brunt of the cuts introduced to fund the banks and who the Government wants to continue to toil until they reach the age of 68 — should only be able to access water on the basis of their ability to pay for it? Does the Government really want to create a situation whereby families will be obliged not just to budget in respect of groceries, clothes, etc., but also to make decisions on which members can have showers on any given day or on whether the windows can be washed? Some Members on the opposite side of the Chamber might deny the possibility of that becoming a reality but when one in five people have only €70 left at the end of the month, how can they doubt that it will come to pass?

The residents of St. Teresa's Gardens, Dolphin House and other estates and complexes, as a result of the State's dedication to providing exorbitant profits to developers, must use water that has been contaminated with sewage. That is something one might expect to find in a Third

World refugee camp. Will these residents be expected to pay for the luxury of running water? I accept that there is a need bring the wasting of water to an end.

4 o'clock However, one will not find savings in this regard in the ordinary households of Ireland where water is an essential resource. They can only be achieved by overhauling disastrously poor and outdated water infrastructure which successive Governments have allowed to rot in the ground. Some 36% of treated water goes unaccounted for in Dublin City Council's area of remit. If this figure is representative of the entire State, then according to the local government efficiency review group approximately 500 million litres of water go unaccounted for each day. If the Government expects to make water savings of that order from households, then a huge number of children and windows will go unwashed.

The Government has not made a major effort to introduce water saving technologies to houses throughout the State. If the ecological argument had any real place in the Government's thinking, then introducing such technologies would surely have been the first step it should have taken. Since 2003, local authorities have drawn down less than 50% of the money offered in respect of such measures. When adopted, measures the type of measures to which I refer work. According to the local government efficiency review group, the variable speed drives that were installed at the Leixlip water treatment plant paid for themselves in under ten months, resulted in ongoing savings of €40,000 per month and reduced carbon emissions by 360 tonnes per year.

The working people of this State cannot afford another double tax. We cannot afford to allow our water infrastructure to continue to deteriorate by scapegoating those to whom I refer. There are very real and immediate savings to be made through the introduction of top-down water saving measures. We should not try to make savings in respect of every litre of water which struggling families can no longer afford but rather we should try to save the millions of litres that are being lost as a result of leaks in the system.

The Tánaiste was correct when he stated that water charges are wrong. I urge everyone in this Chamber to think of those who struggle to pay their bills each week. These people are hard-working and decent, and they are under great stress. Members should vote with those people and support the motion.

Deputy Caoimhghín Ó Caoláin: In supporting the motion I wish to address two main issues: first, access to water as a basic human right that is essential for life and health; and, second, the democratic right of the Irish people to determine how we should deploy our own resources and how we should pay for them.

[Deputy Caoimhghín Ó Caoláin.]

The former United Nations Secretary General Kofi Annan has stated: “Access to safe water is a fundamental human need and, therefore, a basic human right.” On 30 September last year, the United Nations Human Rights Council, which is responsible for mainstreaming human rights within the UN system, adopted by consensus a resolution affirming that water and sanitation are human rights. Recalling the recent adoption of a similar resolution by the UN General Assembly, the resolution adopted by the Human Rights Council took an important further step in affirming that “the human right to safe drinking water and sanitation is derived from the right to an adequate standard of living and inextricably related to the right to the highest attainable standard of physical and mental health, as well as the right to life and human dignity”.

We are fortunate in Ireland in that we have a more than adequate supply of water to meet all our individual and communal needs and to sustain highly productive agriculture and industry. Millions across the globe are faced with water shortages and the massive problems for human health and economic development that water poverty brings. The resources to address that form of poverty are available globally, as they are to address poverty in all its other forms. In Ireland, we also face challenges in ensuring that all our population centres, both urban and rural, are adequately supplied. I pay tribute to those across the country who are involved in group water schemes, especially those in my constituency with whom I am most familiar. Provision must be made — incrementally, if required — to relieve rural dwellers of the cost of paying for their domestic supply. All citizens, be they rural or urban dwellers, must be treated equally.

The motion focuses on water supply and water services as they affect the majority of the population. This is a well-balanced motion which recognises that water is a valuable resource that is expensive to treat and distribute and that everyone has a duty to conserve it. The Government, on behalf of the people, has a duty to guard and conserve water as one of our most precious resources. It also has a duty to ensure that people’s right of access to water is vindicated. The Government can do neither of these things — indeed, it abandons its duties — when it places this resource in the hands of profit-driven corporations. That is the thrust of this Government’s policy.

The Fine Gael and Labour parties are promoting the creeping privatisation of our most vital resource. This is evidenced by their preference for design, build and operate contracts with private companies in the area of water production and treatment services. If persisted with, this policy will lead to ever greater financial burdens on those least able to afford them. As with any privatisation, the bottom line is profit margin. Citizens will simply be required to pay more for basic utilities in order to ensure a profit for the corporations. When these ventures fail, the State will be obliged to foot the bill. The utilities to which I refer should remain in public ownership, paid for on the basis of progressive taxation, and should be provided to all as a right and maintained as basic infrastructure essential for economic and social well-being and development. The motion rightly points out that the money to be spent on water metering could instead be used to upgrade our inadequate water infrastructure in which successive Governments failed to properly invest.

I want to cite another water-related health issue. In reply to a parliamentary question last week, the Minister of State at the Department of Health, Deputy Shortall, stated that approximately €4.78 million was spent in 2010 alone on the compulsory fluoridation of public water supplies in this State. Of this, €1.36 million was spent on hydrofluorosilicic acid, the chemical used for fluoridating water, €2.28 million on operational costs and €1.14 million on capital costs. The Minister of State said the Government has no plans to discontinue the policy of

fluoridation. I deplore this position because there is sharp disagreement among scientists and clinicians regarding the fluoridation of water. While such doubt and dispute exists, fluoride should not be forced into public drinking water as it is by law in this State, which is one of the few nations in the world to do so. The Government should give people choice in this matter and save money by ending fluoridation.

As previous speakers indicated, the Tánaiste and Minister for Foreign Affairs and Trade and leader of the Labour Party, Deputy Gilmore, has an interesting record on the issue of water charges. In the 1980s he stated that “water charges are just another tax on workers”. Shame on him and his colleagues if they reverse one of the age-old mores of the Labour Party. I urge all Members, particularly those in the Labour Party, to support the motion tabled by the Sinn Féin Deputies.

Deputy Pearse Doherty: Mar atá a fhios againn uilig sa Dáil, inniu céad lá den Rialtas a bheith in oifig. Tá sé oiriúnach go bhfuilimid ag plé an rúin seo faoi tháillí uisce mar seo ceann des na flip flops agus na gealltanais atá briste ag an Rialtas agus a bhfuil Sinn Féin á cur i láthair inniu. Tá níos mó na 50 gealltanais briste ag an Rialtas. Cuirfidh seo isteach go mór isteach ar an ghnáth dhuine, go háirithe ar dhaoine atá ar an ngannchuid.

Today is the hundredth day of Fine Gael and Labour in office. It marks 100 days of U-turns, broken promises and dashed hopes. The announcement by the Minister for the Environment, Community and Local Government that the Government intends to introduce a household charge in January of next year, followed by water charges and a property tax in 2013, is one of more than 50 U-turns and broken promises identified by Sinn Féin this week.

While nobody is surprised that Fine Gael would bring forward proposals to introduce two new stealth taxes, what is surprising is the willingness of the Labour Party to acquiesce in this matter. At their annual conference only last year, the Labour Party, none of whose Members are in the Chamber, passed a motion reaffirming their opposition to the introduction of water charges. They committed the party to abolish water tax if in Government. They also committed to providing an adequate standard of water to every home in the State, funded by a progressive tax system.

Today, we face the prospect of a Government, involving the same Labour Party, proposing the introduction of a regressive water tax that Labour opposed only 12 months ago. Worse still, Labour look set to support a flat rate household charge, otherwise known as a property tax. Did the Labour Party not repeatedly state during the election campaign that they would oppose the introduction of a property tax? It seems that resolutions at party conferences and election manifesto commitments mean little to the Labour Party. After only 100 days in office they are sounding increasingly like their predecessors.

Sinn Féin, as outlined by my party colleagues, is opposed to water charges. We are opposed to them on environmental, economic and social justice grounds. The Minister says the main purpose of his proposed water tax is to conserve water. A more effective way of achieving this would be to invest in replacing the existing water system. In my own county, 50% of all water is lost through the system before it reaches the domestic households. Meters will do nothing to change this.

We all know that the metering of water has nothing to do with conservation but is another crude revenue raising measure demanded by the EU and IMF under the terms of the austerity deal. Like the regressive forms of taxation it will hit low and middle income earners hardest. These are the same people who are suffering rising inflation, interest rates and unemployment and, for those lucky enough to have a job, lower wages. The economics of such charges is obvious. Consumer spending will be further reduced as people will have less disposable income.

[Deputy Pearse Doherty.]

In turn, more private sector jobs will be lost. For those already living close to the edge of the poverty line, a further tax will push many over the edge.

I appeal to Fine Gael to listen to the calls we have made and to what their partners in Government said a couple of months ago. I will conclude with a quote from the Minister without portfolio, Deputy Brendan Howlin. He said, “It makes no sense to spend hundreds of millions of euro metering a leaky system”. Fair play. They are sentiments my party and I completely endorse.

Deputy Gerry Adams: It is entirely appropriate on the hundredth day of the Government being in office that we debate the introduction of water charges. Fine Gael pledged that it would not charge for water until a new water authority had been established and each home had been fitted with a water meter. This has now been set aside, like other promises, and a flat rate is to be imposed on every household, irrespective of consumption. The Labour Party argued against the introduction of water charges while in Opposition. Both parties said a flat rate charge would be unfair and both parties are now introducing a flat rate charge.

Ba chóir do Fhine Gael agus don Lucht Oibre a bheith macánta linn agus leis na saoránaigh. Níl anseo ach cáin eile. Bealach eile é seo chun cáin a bhailiú. Anois, ós rud é go bhfuil siad i gcumacht tá siad an déanamh an rud céanna agus a rinne an Rialtas rompu. Cá bhfuil an difir idir Fhine Gael, Páirtí an Lucht Oibre agus Fianna Fáil ar an ábhar thábhachtach seo?

Claims that water charges are about improving water conservation or the level of service are nonsense. This is a family stealth tax. The Government also plans to spend €500 million or more on installing meters. That money would be better spent on improving water distribution, cutting down on the amount of water, over 40%, that is lost through leaking pipes. Such a substantial investment would also create and retain jobs in the local economy.

Access to clean and safe water is a basic human right. Water charges are an unfair and entirely unjust form of double taxation. In the North, Sinn Féin blocked the introduction of water charges. The Government should abandon its plans to introduce these service charges. Sinn Féin believes water services should continue to be held under the operational responsibility of local authorities and in full public ownership. We also support the establishment of an all-Ireland water and sewerage authority to ensure that water quality and environmental standards are met and to facilitate co-operation across this island to reduce costs and maximise efficiency.

I call upon other Deputies to support this motion. I also ask you to note, a Chathaoirleach, that I finished within my time.

Minister of State at the Department of Communications, Energy and Natural Resources (Deputy Fergus O'Dowd): I thank the Deputies opposite for putting down this motion. I listened to the debate with great interest.

I must clarify some issues, for the benefit of everyone in the country. While water may fall from the sky, it does not get into our taps very easily. There are significant costs attached to the 956 separate public water supply zones in Ireland. Of those 956 public water supplies the Environmental Protection Agency reports that there is some risk attaching to 264 supplies and they are on the remedial action list. This means that steps must be taken to improve the quality of water. In many cases action must be taken with regard to cryptosporidium and the treatment of the water must be changed. It is very expensive to do that. There are, currently, 17 boil water notices in effect in different parts of the country and 18 other water restrictions are in place.

Water is a significant problem and it is important that we provide the best and highest quality water we can. The cost of that to a household is what the water charge will be. It is made very clear in the programme for Government, signed up to by both Fine Gael and the Labour Party, that there will be a free allowance. It is above the free allowance that there will be a charge. We are particularly conscious of the needs of low income households.

A 300 ml bottle of water with a bit of ice costs approximately €2.50 in a public house. Local authorities supply 1,000 litres of water to households for €2.50, about the same price as a bottle of water. Local authorities are providing an outstanding supply of clean water 24 hours a day and seven days a week. We are getting very good value for money. To improve our water supply and our waste water treatment, which is a significant and increasingly expensive issue, we must make up the difference in cost. In the last nine years, approximately €3.4 billion was spent on improving the country's water supplies.

We want to continue that. This year I understand the budget is approximately €437 million. While it is less in absolute terms, we are getting more done for it. We need to get the money from somewhere. Notwithstanding the points Sinn Féin Deputies make, from where will the money come to improve our water supply system especially with the need to meet increasingly high standards required as a result of EU directives on water quality? It must come from somewhere and the only place to get it is from the ordinary household.

Deputy Doherty can shake his head but this is the reality. We cannot all walk into a bank and get the money just like that. We need to pay for it and it must come from somewhere. Sinn Féin is avoiding the issue of where to get the money.

Deputy Pearse Doherty: The Government could apply burden sharing to senior bondholders in other banks.

Deputy Fergus O'Dowd: However, let us be realistic about it. That will actually happen.

Deputy Pearse Doherty: We told the Government to do it with Anglo Irish Bank and got the same response, but now it is doing it.

Deputy Fergus O'Dowd: I am trying to answer the Deputy's question. The money must come from somewhere and we believe it is reasonable and fair that every household should pay for the water after they have been given a free allowance to which it can work. Internationally conservation results from metering. I encourage you to go to your local authority and ask it to show you — as I did with my local authority — the effect of metering on commercial water supplies and how the volume used reduced significantly.

Acting Chairman (Deputy Joe Costello): I ask the Deputy to address the Chair.

Deputy Aengus Ó Snodaigh: We do not mind.

Acting Chairman (Deputy Joe Costello): I do.

Deputy Fergus O'Dowd: I will obey the rules and I will look at the Acting Chairman.

To run a safe water supply we need to raise the money and we need to do it fairly, which is what we are doing. I wish to make one further point — I will be responding to parliamentary questions later. The Irish water company to be set up will be State owned. Its establishment does not represent the start of privatisation of water services. The creation of that company and the introduction of a fair system of water charges based on usage will transform the provision of water services. In these difficult times we need to deliver our services and use our resources

[Deputy Fergus O'Dowd.]

more efficiently. By delivering on commitments in the programme for Government we can ensure this will happen.

Deputy Aengus Ó Snodaigh: Ba mhaith liom buíochas a ghlacadh le gach éinne a ghlac páirt sa díospóireacht rithábhachtach seo. Labhair Teachtaí ar ceist na dtáillí uisce ag an staid seo. Bhí tuiscint cheart ag cuid acu ar an chúis gur chóir dúinn cur go huile is go hiomlán i gcoinne an cinneadh atá dhéanamh ag an Rialtas táillí uisce a thógaint isteach amach anseo. Is trua nár thuig Teachtaí eile an méid a bhí rá againn maidir le cén fáth nár cheart iad a thógaint isteach. There were some ill-informed contributions in the debate. I specifically refer to Deputy Nash who, bizarrely considering the constituency he represents, does not seem to understand the issue of water in the Six Counties. It is good to see there is a renewed interest in what is happening in the Six Counties among Fine Gael Deputies.

Deputy Fergus O'Dowd: He is in the Labour Party.

Deputy Gerry Adams: Cad é an difir?

Deputy Aengus Ó Snodaigh: Mo leithscéal. It is even more appropriate that he is in the Labour Party, which has ignored what has happened in the Six Counties for many years. He was grossly mistaken in what he said because water is a very complex issue. However, we will forgive him for being confused on the issue. The reality is that if it were not for Sinn Féin there would be water charges in the Six Counties. We were the ones who opposed it and prevented it from being introduced and will continue to do so because we do not believe water charges should be applied anywhere on the island.

I apologise for confusing some of the newer Deputies, but I believe I will get this one right. Deputy Eoghan Murphy from your party represents Dublin South-East, my old constituency.

Acting Chairman (Deputy Joe Costello): I ask the Deputy to address the Chair.

Deputy Aengus Ó Snodaigh: That is no problem at all. Deputy Eoghan Murphy commenced his speech by stating that water is not a basic human right. I am happy to correct him; it is. The right to water derives from Article 11.1 of the International Covenant on Social and Economic Rights and is recognised as such by the UN Committee on Economic, Social and Cultural Rights, which is the body charged with interpreting the covenant. If people are making statements in the Dáil they should at least have the basic facts correct.

The proposed charges are not about water wasters or conservation. The new Government is unashamed in this regard despite some attempts today to cloud that. The fact that water charges feature in the section of the programme for Government entitled “Fiscal Policy” says it all. The bottom line is that the Government wants to raise more money. If the Minister were to say “we propose to introduce a flat tax on every household in order to bail out private banks and foreign gamblers” that would go down like a lead balloon. The Government has done it anyway under the universal social charge, but I do not believe even it would try that trick a second time. Instead the Government tries to make it sound more palatable so it claims we need to protect the environment. The Fianna Fáil-Green Party Government was at the same trick because everybody wants to conserve the environment.

However, that begs an obvious question. Why not use the money that has been borrowed to install meters to fix the leaks and conserve the water? Currently up to 58% of treated water is being lost. More than 60% of local authorities lose more than 40% of treated water. That

problem should be addressed rather than trying to raise money to pump into zombie banks or to pay back IMF loans we should not be paying back at all.

The Government is cynically using the promise of meters with a free allowance rather than being honest and acknowledging that this has nothing to do with conservation and is rather simply a revenue-raising mechanism. To this end it has promised charges will only hit those who waste water. Labour and Fine Gael spokespersons have advised people they will not suffer if they use water in a responsible manner. There are a number of problems with this contention.

First, a free allocation plus charges model is not permissible under the EU water directive, which mandates full cost recovery from the consumer. The only reason domestic users in this State are not charged the full whack upfront right now is because Ireland secured a derogation from the directive because we had an established practice of paying for water through general taxation. A meter, free allocation plus charges model would constitute new and not established practice therefore we would quickly come under the scrutiny of the European Commission and would come under pressure to charge domestic users the full rate for every drop they use. The European Commission's website clearly states under the terms of the directive: "Member States will be required to ensure that the price charged to water consumers — such as for the abstraction and distribution of fresh water and the collection and treatment of waste water — reflects the true costs."

Annex 3 of the directive makes it clear that there is very little room for manoeuvre within or around this principle once it kicks in — in other words once we depart from our current practice which is explicitly exempted from it.

Neither this Government nor the last one which came up with the plan ever sought advice from the Attorney General, based on information I have received in replies to parliamentary questions and yet it continues to promote a water-charging model that may prove legally impermissible. It is happy to commit to spend €1 billion on installing meters which will be used to charge families for every last drop.

Second, even if a free allowance were permissible, which is not the case, as the Government's austerity approach gathers momentum and the economy shrinks further it would be likely to be tempted and pressured by the EU and IMF to reduce the free allocation every year and likewise hike the flat rate volumetric charges every year. This is what has happened with other waiver schemes, including those for bin charges; they are reduced until they disappear altogether in some cases. I do not believe that the body the Minister proposes to establish is not in preparation for privatisation of our water supply.

Third, there is very little knowledge on the actual level of water use broken down by categories of households or individuals.

The Minister stated in recent days that a free allowance in the region of 40 litres will be available, but the only figures available to the Department, which come from the national water study published 11 years ago, suggest that average individual use stands at 145 litres, a much higher volume. This, again, shows that any promise that only water wasters will be targeted by charges is a blatant untruth.

There is nothing fair about the funding model proposed by the Government in its amendment. The impact of the flat-rate volumetric charges on wealthy people will be negligible whereas it will undoubtedly force those already struggling on low incomes to go without essential water. It will undoubtedly compound the already stark divide between the health outcomes of those on low incomes versus those on high incomes. When canvassing during cold and dark evenings in February, I was struck by the number of people, especially the elderly, who were living in the dark and afraid because they did not have any money to spare to allow them to switch on their lights. They will not be able to turn on their taps if the Government has its way. The energy poor will shortly be the water poor if the charges are introduced.

[Deputy Aengus Ó Snodaigh.]

That Fine Gael wholeheartedly adopted the outgoing Government's approach to water and finance is no surprise. Ideologically, Fianna Fáil and Fine Gael are one. They like stealth taxes and privatisation. I was delighted to hear Deputy Buttimer comparing himself and the Government to the Thatcher Government. There is a lot of truth in that. The Government, with the likes of Deputy Buttimer, will show its true colours in the coming days and months. If it is making the aforementioned comparison, it saves me from doing so.

Despite the ideological stance of Fine Gael, many people expected much more from the Labour Party, especially considering the promises made and views expressed by key public representatives of that party on this issue. People will have seen the leaflet circulated by the Tánaiste, Deputy Gilmore, in his younger days on water charges as a form of taxation. After the most recent general election, Deputy Tuffy voted against the adoption of the programme for Government, citing her opposition to the introduction of water charges as her reason. It will be interesting to see whether she troops in here later to vote against the Government's amendment.

Last year, 24 Labour Party councillors from across the State, two of whom have since been elected as Deputies, namely Deputies John Lyons and Eamonn Maloney, signed a letter committing their opposition to water charges if elected. The letter refers to a motion passed unanimously at a Labour Party Conference in Galway at which the then councillors stated their opposition to the plans of the then Minister for the Environment, Heritage and Local Government, Deputy John Gormley, to introduce water charges. These are the very same plans that the Labour Party is now proposing to implement. Very much in line with today's Sinn Féin motion but completely at odds with the amendment proposed by the Government, the letter states:

We believe in the provision of water as a fundamental human right and that the cost of providing an EU standard of water to every home in the state should be funded through a reformed and progressive tax system. Labour also confirmed at our Conference that we are committed to abolishing these regressive water charges if in Government.

One should remember the last Government had promised to introduce water charges before leaving office but thankfully had to leave very quickly. The problem is that we have a new Government that just carries on in the same way in office.

The letter also stated: "In the meantime we will continue to lead the opposition to water charges and privatization". God love us, if we were waiting on the Labour Party to lead us in opposition, considering its capitulation since entering office, we would be waiting a long time.

The body being proposed by the Minister will set the ball rolling towards taxation. This is already in hand through various mechanisms mentioned in this motion. Private companies are already in charge of the treatment of water and the disposal of waste water. That is a scandal. Water services should be under the local authorities' control and there should be a body ensuring the standard is as high as possible and that there is co-ordination between local authorities.

The Labour Party has an opportunity today to live up to its pre-election, vote-securing promises. It was buying votes with those promises. Today I am putting it up to the three aforementioned Deputies and also the leader of the Labour Party. The party could be true to its word and voters by voting against the Government's amendment on water charging. I commend the motion to the House. It is fair and constitutes the only proper strategy to address the problems associated with water. If adopted, it will ensure responsibility for the provision and treatment of water and the disposal of waste water will be held by local authorities and, therefore, held in the interest of the people.

Amendment put:

The Dáil divided: Tá, 73; Níl, 34.

Tá

Barry, Tom.
 Breen, Pat.
 Butler, Ray.
 Buttimer, Jerry.
 Byrne, Catherine.
 Byrne, Eric.
 Carey, Joe.
 Coffey, Paudie.
 Conaghan, Michael.
 Conlan, Seán.
 Connaughton, Paul J.
 Corcoran Kennedy, Marcella.
 Costello, Joe.
 Creighton, Lucinda.
 Deasy, John.
 Deering, Pat.
 Doherty, Regina.
 Donohoe, Paschal.
 Dowds, Robert.
 Durkan, Bernard J.
 Farrell, Alan.
 Feighan, Frank.
 Ferris, Anne.
 Fitzpatrick, Peter.
 Flanagan, Charles.
 Flanagan, Terence.
 Griffin, Brendan.
 Harrington, Noel.
 Harris, Simon.
 Heydon, Martin.
 Hogan, Phil.
 Humphreys, Kevin.
 Keating, Derek.
 Keaveney, Colm.
 Kehoe, Paul.
 Kenny, Seán.
 Kyne, Seán.

Lawlor, Anthony.
 Lynch, Ciarán.
 Lynch, Kathleen.
 Lyons, John.
 Maloney, Eamonn.
 Mathews, Peter.
 McCarthy, Michael.
 McFadden, Nicky.
 McLoughlin, Tony.
 Murphy, Dara.
 Murphy, Eoghan.
 Nash, Gerald.
 Naughten, Denis.
 Neville, Dan.
 Nolan, Derek.
 Ó Ríordáin, Aodhán.
 O'Donnell, Kieran.
 O'Donovan, Patrick.
 O'Dowd, Fergus.
 O'Mahony, John.
 O'Reilly, Joe.
 Penrose, Willie.
 Perry, John.
 Phelan, Ann.
 Phelan, John Paul.
 Rabbitte, Pat.
 Ring, Michael.
 Ryan, Brendan.
 Sherlock, Sean.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Timmins, Billy.
 Tuffy, Joanna.
 Twomey, Liam.
 Wall, Jack.

Níl

Adams, Gerry.
 Calleary, Dara.
 Collins, Joan.
 Collins, Niall.
 Colreavy, Michael.
 Cowen, Barry.
 Daly, Clare.
 Doherty, Pearse.
 Donnelly, Stephen.
 Dooley, Timmy.
 Ellis, Dessie.
 Ferris, Martin.
 Flanagan, Luke 'Ming'.
 Fleming, Sean.
 Healy, Seamus.
 Higgins, Joe.
 Kelleher, Billy.

Mac Lochlainn, Pádraig.
 McDonald, Mary Lou.
 McGrath, Finian.
 McGuinness, John.
 McLellan, Sandra.
 Ó Caoláin, Caoimhghín.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 Ó Snodaigh, Aengus.
 O'Brien, Jonathan.
 O'Sullivan, Maureen.
 Pringle, Thomas.
 Ross, Shane.
 Smith, Brendan.
 Stanley, Brian.
 Tóibín, Peadar.
 Troy, Robert.

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

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 72; Níl, 34.

Tá

Barry, Tom.
Breen, Pat.
Butler, Ray.
Buttimer, Jerry.
Byrne, Catherine.
Byrne, Eric.
Carey, Joe.
Coffey, Paudie.
Conaghan, Michael.
Conlan, Seán.
Connaughton, Paul J.
Corcoran Kennedy, Marcella.
Costello, Joe.
Creighton, Lucinda.
Deasy, John.
Deering, Pat.
Doherty, Regina.
Donohoe, Paschal.
Dowds, Robert.
Durkan, Bernard J..
Farrell, Alan.
Feighan, Frank.
Ferris, Anne.
Fitzpatrick, Peter.
Flanagan, Charles.
Flanagan, Terence.
Gilmore, Eamon.
Griffin, Brendan.
Harrington, Noel.
Harris, Simon.
Heydon, Martin.
Hogan, Phil.
Humphreys, Kevin.
Keating, Derek.
Keaveney, Colm.
Kehoe, Paul.

Kenny, Seán.
Kyne, Seán.
Lawlor, Anthony.
Lynch, Ciarán.
Lynch, Kathleen.
Lyons, John.
Maloney, Eamonn.
Mathews, Peter.
McCarthy, Michael.
McFadden, Nicky.
McLoughlin, Tony.
Murphy, Dara.
Murphy, Eoghan.
Nash, Gerald.
Naughten, Denis.
Neville, Dan.
Nolan, Derek.
Ó Ríordáin, Aodhán.
O'Donovan, Patrick.
O'Dowd, Fergus.
O'Mahony, John.
O'Reilly, Joe.
Penrose, Willie.
Perry, John.
Phelan, Ann.
Phelan, John Paul.
Rabbitte, Pat.
Ring, Michael.
Ryan, Brendan.
Sherlock, Sean.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Tuffy, Joanna.
Twomey, Liam.
Wall, Jack.

Níl

Adams, Gerry.
Calleary, Dara.
Collins, Joan.
Collins, Niall.
Colreavy, Michael.
Cowen, Barry.
Daly, Clare.
Doherty, Pearse.
Donnelly, Stephen.
Dooley, Timmy.
Ellis, Dessie.
Ferris, Martin.
Flanagan, Luke 'Ming'.
Fleming, Sean.
Healy, Seamus.
Healy-Rae, Michael.
Higgins, Joe.

Kelleher, Billy.
Mac Lochlainn, Pádraig.
McDonald, Mary Lou.
McGrath, Finian.
McGuinness, John.
McLellan, Sandra.
Ó Caoláin, Caoimhghín.
Ó Cuív, Éamon.
Ó Fearghaíl, Seán.
Ó Snodaigh, Aengus.
O'Brien, Jonathan.
O'Sullivan, Maureen.
Pringle, Thomas.
Ross, Shane.
Smith, Brendan.
Tóibín, Peadar.
Troy, Robert.

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

Question declared carried.

Ceisteanna — Questions

Priority Questions

Local Government Audit

1. **Deputy Niall Collins** asked the Minister for the Environment; Community and Local Government the steps he is taking to implement the recommendations of the Local Government Efficiency Report. [15860/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A range of work is already underway or in planning arising from the report and I am considering the relevant revenue raising and other recommendations that require enabling legislation.

My Department has been working with local authorities to advance the efficiency group's agenda in areas such as shared services, procurement and in the use of online technology to improve efficiency and effectiveness in service delivery to the public. I have recently established an independent implementation group chaired by Pat McLoughlin, who also chaired the efficiency review group, to drive forward relevant recommendations of the report in areas such as shared services, procurement, value for money and audit. I have asked the group to build on the extensive efficiencies that have been achieved by local authorities in the past two years or so where savings of over €300 million have been achieved and to focus on key recommendations that will remove costs and yield earliest financial savings for the benefit of the sector and the economy. The group will report to me at regular intervals and its first report is to be provided within six months.

The group to review the staffing levels in Dublin City Council has recently completed its deliberations and its report and recommendations have recently been submitted to me. I am considering the report and will publish it shortly. Specific measures to modernise local government are also underway in parallel with the efficiency review group's recommendations. These include implementation of the "Transforming Public Services" programme and the public service agreement in local authorities in areas such as shared services, HR, ICT and procurement. Reports on progress and savings under the local government sectoral action plan of the PSA were made to the implementation body in May 2011.

I am satisfied that these measures represent a comprehensive and targeted approach to achieving further efficiencies in local government.

Deputy Niall Collins: I thank the Minister for his reply. The local government efficiency review identified €511 million worth of savings that could be made across the local authority sector, which is a very significant amount of money. The Minister has told us he intends introducing new revenue raising measures for local authorities, including the household utility charge, which he announced during our last questions session.

What efficiencies will the Minister introduce in the local authority sector prior to committing to the introduction of this charge? This new charge will be levied on all households and will be a new income stream for local authorities. However, we do not have a schedule of identified efficiencies or savings.

[Deputy Niall Collins.]

For example, will the Minister reduce the number of local authority managers from 34 to 24? Will he reduce the number of directors of services in the second tier of management? Will he amalgamate local authorities along the lines recommended by an *bord snip nua*?

The Minister said the implementation committee will come back to him on a regular basis but is there a timeline to implement the action plans? What recommendations does he intend to pursue within this timeline?

Deputy Phil Hogan: I know Deputy Niall Collins would be anxious that we would have greater efficiency in local government.

Deputy Niall Collins: Correct.

Deputy Phil Hogan: I am anxious to have a local government reform package to recommend to the House in the autumn. That will include some of the major recommendations in the various efficiency reports and in the McCarthy report to reduce payroll costs. I remind the Deputy that the number of local government staff has been reduced by 6,600 in the past two years. That is a very significant contribution to the overall reduction in public sector staff — in fact, it is 30%. Much work is being done to protect front line services and to enhance them if we possibly can and to look at the management side of the local government system to see how we can make efficiencies there.

There are a number of recommendations on how we can end motor tax gapping. I will bring forward proposals later this year which will probably require legislation to close the gap where people declare vehicles are off the road for a month. That gap will be closed in order to bring additional revenue into the local authority. Over-the-counter and full financial recovery of planning fees have been identified in the report and are under active consideration. I expect to have a package of measures to bring to the House in October.

Deputy Niall Collins: I believe Professor Richard Tol indicated at a conference at which the Minister spoke that he envisaged the household utility charge may be of the order of €700 per household per month. Will the Minister give his view on that? Are there any plans to roll out new tolls on existing roads?

Deputy Phil Hogan: I do not agree with Professor Tol's calculations or with the proposition or assumptions he made in his comments at that conference. I have no plans to roll out any new tolling schemes.

Water Charges

2. **Deputy Brian Stanley** asked the Minister for the Environment; Community and Local Government if he will give a guarantee that private companies will not be charged with the installation and control of water meters. [15916/11]

Deputy Fergus O'Dowd: The programme for Government provides for the introduction of a fair funding model to deliver clean and reliable water. The objective is to install water meters in households and move to a charging system based on usage above a free allowance. The Department of the Environment, Community and Local Government is currently preparing a strategy to implement these proposals, including the funding of the metering programme, the approach to be taken for the procurement of the water meters and for their installation. Further details will be made available when the Government has considered the proposals.

The programme for Government also proposes the establishment of a new State-owned water company to be called Irish Water. The memorandum of understanding between Ireland and the European Union and International Monetary Fund commits Ireland to undertaking an independent assessment of the establishment of a water utility. Consultants are currently being appointed and will shortly commence work on this assessment, which will examine the optimum role of the new company and will assist in defining the functions to be assigned to it. The assessment is to be completed by the end of October this year and the Government will then consider proposals on the establishment of Irish Water before the end of 2011.

It is intended that Irish Water will be responsible for the management of the water metering programme. Achieving value for money will be critical and it is likely that the installation of water meters will involve an open procurement process where contractors will be invited to submit tenders for various elements of the meter installation programme. However, while it would be impractical to rule out private sector involvement in the installation of water meters, the intention is that the meters and related equipment will remain in public ownership.

Deputy Brian Stanley: I refer to the proposal to set up a single water authority in the State. Currently, that is the situation in the Six Counties. The Minister of State will be aware of the difficulties faced by elected representatives in the North when trying to deal with the problems during the big freeze last winter. We made cheap jibes about this in an earlier debate but despite the best efforts of all elected representatives in the North, a single body at arm's length from government and local and national elected representatives can cause problems.

An Leas-Cheann Comhairle: A question please.

Deputy Brian Stanley: Will the Minister of State give a cast iron guarantee that private companies will not be involved in disconnecting water supplies to domestic households?

Deputy Fergus O'Dowd: Irish Water will not be a private company but a State-owned operation. The Government and the Dáil will be informed of the powers and responsibilities it will have. There is a tender out currently. I hope we will have an interim report by the end of July and a full report in October. The Minister will then go to Cabinet with proposals which we will discuss openly in the House. It is not the intention that Irish Water will be a private company.

Deputy Brian Stanley: I have heard different things about the water charge and the utility charge and there have been various reports in the media. Will the Minister of State clarify when the utility charge and the water charge will come in?

Deputy Fergus O'Dowd: The programme for Government provides for an allowance and after that there will be a charge. Up to 2,000 people will work on installing the meters in homes. That is a large number of jobs, which will be important to local communities.

Deputy Brian Stanley: When will the charge be introduced? I did not get an answer.

Deputy Phil Hogan: The Deputy knows the answer.

Political Party Funding

3. **Deputy Stephen Donnelly** asked the Minister for the Environment, Community and Local Government if he will amend his proposal, regarding the halving of State funding to parties which do not have 30% female candidates for the next general election in order that the same principle applies to the next local elections as well; if he will increase the target to 40% for

[Deputy Stephen Donnelly.]

both local and general elections and if he will make a statement on the matter; and if he will make a statement on the matter. [15919/11]

Deputy Phil Hogan: The programme for Government contains a commitment that: “Public funding for political parties will be tied to the level of participation by women as candidates those parties achieve.”

On 8 June 2011, I published the general scheme of the Electoral (Amendment) (Political Funding) Bill 2011. The general scheme includes provision for a requirement that to qualify for full State funding under Part 3 of the Electoral Act 1997 a qualified political party will have to have at least 30% women candidates and at least 30% men candidates at the next general election. This is to rise to 40% after seven years. Half of every payment to a qualified political party is to be made contingent on meeting those requirements.

The relevant Heads of the Bill to provide for these new arrangements are set out in Part 5 of the general scheme, as published. The approach provided for in the scheme is both practical and sound and I intend to proceed in this manner.

Payments made to qualified political parties under Part 3 of the Electoral Act 1997 are linked to performance at a general election and these new requirements will therefore apply in respect of candidates of political parties at a general election. It is also my intention that the measures would have a knock-on effect by providing an incentive to political parties voluntarily to apply similar arrangements at local elections.

The new legislative provisions are being designed as an incentive mechanism to encourage political parties to apply a more equal gender balance in the selection of candidates that are put forward at a Dáil general election. They are a proportionate response to address a significant problem of public concern within Ireland’s democratic system.

At the general election held in February 2011, 86 of the 566 candidates who sought election were women, representing 15.19% of the total. Of the 166 members of Dáil Éireann returned after the election, 25 were women, representing 15.06% of the total. The proportion of men to women in the population of Ireland is approximately 50-50, yet this has never been reflected in Dáil representation. This modest proposal will give political parties an opportunity to have greater representation by women in the Dáil and to ensure greater representation by women on the slate of candidates.

Deputy Stephen Donnelly: As I have told the Minister previously, I strongly commend what he is doing. There is a real opportunity here to achieve far more meaningful reform, both at local and national level. A 30% change would simply require Fine Gael to field another 13 female candidates and the Labour Party to field another five female candidates. There are 2.25 million women living in Ireland and 42% of the Minister’s party membership is composed of women. Given the relatively modest changes that would be required to move quickly to 40%, which would result in a fantastic change, is it not a reasonable thing to do now?

Second, if we accept the logic the Minister has used for the changes at national level, the same logic should apply to local government. It would also make it easier for female candidates at national level. I am new to politics but it is abundantly clear that sitting councillors and Deputies have a huge advantage over others when running for election. Would it not make more sense both in principle, for the same reason the Minister is applying it nationally, and in practice, to achieve greater female representation, to have it enforced at local level as well as national level?

Deputy Phil Hogan: I have great sympathy with the question and the tone of Deputy Donnelly's remarks. I consider this to be a staging post towards achieving his objective. However, there is a conservative culture in the manner in which these matters can be addressed not only by men, but also by women. There is a balance to be struck between increasing the participation rate of women in politics, and people of either gender wishing to be in politics on merit. There is nothing to stop a person from standing as a candidate in an election for any political party or to stop political parties opting for a 50:50 ratio, if they wish. I am setting a floor in legislative form to ensure that at least 30% of both genders will be considered by political parties. It does not apply to independents at present.

Deputy Stephen Donnelly: As I said, I welcome this. As regards the conservative measure, I ask the Minister and his officials to consider that the margin required to move from 30% to 40%, which is the Council of Europe's recommended percentage and ultimately the figure the Minister intends to reach, would require Fine Gael and the Labour Party finding an additional 24 and 12 female candidates, respectively. In the context of there being 2.25 million women in Ireland, it should not be beyond the abilities of the parties.

Deputy Phil Hogan: The Deputy will appreciate that this is the first time a Minister has brought forward this proposal. This is the first Government to bring forward a meaningful proposal to increase the participation rate of women and to give them the opportunity to be candidates in a general election. The funding is linked to general elections. If it was linked to local elections, I would be able to apply it down the line. Perhaps that will happen in the future. However, I accept the Deputy's sentiments. I have no difficulty with the spirit and principle of the question, but I am linking this to general elections, in the first instance, and asking political parties to have due regard to it in the local elections.

4. **Deputy Niall Collins** asked the Minister for the Environment; Community and Local Government if he will take the necessary legal and Constitutional steps, as promised in the Programme for Government, to bring about a complete ban on corporate donations.
[15861/11]

Deputy Phil Hogan: On 8 June 2011, I published the general scheme of the Electoral (Amendment) (Political Funding) Bill 2011. In line with the Government's commitment to significantly reform political funding in Ireland, this Bill will implement commitments in the programme for Government and recommendations made in the Moriarty Tribunal Report Into Payments to Politicians and Related Matters .

The Bill provides, *inter alia*, for a ban on the acceptance of donations over €200 from all sources, other than from individuals, by political parties and their accounting units, candidates, Oireachtas Members, Members of the European Parliament, local authority members and third parties, as defined in the Electoral Acts, unless the body has registered with the Standards in Public Office Commission and has furnished, in writing, the name and address of the person or persons responsible for the organisation, management or financial affairs of the body; a statement of the nature and purpose of the body; a list of the membership or shareholders of the body; a copy of its statement of accounts for that year; a copy of the annual report to its members — it will not be inclined to do that; and the donor has declared to the recipient that the donation has been authorised by a general meeting of the members of the body concerned.

Fianna Fáil, in introducing its Electoral (Amendment) (Political Donations) Bill 2011 in Private Members' time in the Dáil on 10 May 2011, acknowledged legal advice it had received to the effect that an outright ban on corporate donations would be likely to be unconstitutional. The Government's approach also recognises this position and, therefore, provides for signifi-

[Deputy Phil Hogan.]

cant restrictions on corporate donations. This approach will achieve the objective immediately of addressing the widespread concern that the large-scale corporate funding of politics is unhealthy for democracy. The general scheme I recently published also contains a number of other measures that are wide ranging and radical in their scope to reform political funding arrangements.

Deputy Niall Collins: The Minister acknowledged what was in our Bill, which was voted down by the Government. During the general election campaign the Minister's party put great emphasis on the concept of banning corporate donations completely. He has now resiled from that position, despite it being an election promise and a commitment in the programme for Government. People worry that while the Government has published its Bill to deal with this matter, nothing has changed. The Bill has not been enacted so fundraising continues under the old regime and can continue until the Bill is enacted. When will the Bill be taken in the House and enacted?

Deputy Phil Hogan: The Private Members' Bill brought forward by Fianna Fáil would not have included all corporate bodies. There were loopholes to allow certain corporate bodies to continue to give donations without being subject to the new restrictions. There were flaws in the Bill. We got advice from the Attorney General on the constitutionality of corporate donations. We wished to proceed immediately to restrict corporate donations and if there was any doubt about the constitutionality of what we intended to do, the Government decided to examine it in the context of the constitutional convention which will be established shortly. That convention will report in a year and there will be an opportunity to put that forward in the context of constitutional change in 2012. However, we are proceeding immediately with the legal advice we received from the Attorney General. What we are trying to do is welcomed by Fianna Fáil and I am delighted the party has been converted to this policy.

Deputy Niall Collins: My point is that in the general election campaign the Minister's party led the public to believe that it would ban corporate donations, and the public voted for the party on that basis, although the party knew it could not do it. The Minister is now hiding behind the legal advice. However, he has not answered my question. When will the legislation be dealt with in the House? Fundraising by all political parties is taking place now and every week under the old regime. We all agree with the spirit of the Bill but when will it be enacted?

Deputy Phil Hogan: It will probably be the most speedy implementation ever of a proposal in a programme for Government. It will be published in July and enacted before the end of the year.

Local Authority Housing

5. **Deputy Catherine Murphy** asked the Minister for the Environment; Community and Local Government if he will introduce a shorter and more specific application form for those seeking a local authority housing transfer; if he will agree to include the reason the transfer is being sought; if he collects statistics on the number of transfer applications; the numbers who achieve such transfers; and if he will make a statement on the matter. [15487/11]

Deputy Willie Penrose: At present, local authorities are free to use their own application forms for social housing tenants seeking a transfer from their current accommodation. In some cases they may use the existing standard application form when there is a lot of new information to collect. In such cases, it should be indicated that it is a transfer rather than a new application. However, this is a matter for the housing authority concerned. My Department currently does

not collect statistics on the number of transfer applications made to housing authorities, the numbers of transfers completed, or the reasons transfers are sought.

Deputy Catherine Murphy: That is the problem. Kildare County Council uses the same form regardless of whether it is a fresh application for housing or a transfer request, so that is counted in the figures for those seeking housing. It distorts the figures. It also removes the prospect of gathering information on why transfers are sought. There are a number of reasons, such as health matters and the size of the household, but the main one is anti-social behaviour. There are some brilliant tenant liaison officers but even with the best will in the world they can only do so much. There must be a multi-agency approach. Is the Minister aware that there is a cost in the provision of transfers? Plumbing and electrics must be checked. Calculating the cost of the transfers would show there is some value for money in what I am saying if one captures information and deals with it. Does the Minister of State agree that one must capture this information in order to plan for needs and respond to the difficulties? The last time the Minister of State attended Question Time, I asked if he would consider an online version. Will the Minister of State consider the same thing for a transfer form, with the same application form used nationally?

Deputy Willie Penrose: This should be an informal process unless there is information missing. The local authority has comprehensive information on each of the applicants. If someone seeks a transfer, it is a formal situation. The Department does not require the use of the new standard application form for transfers. Local authorities are free to set up transfer procedures and to require the completion of forms. I take the Deputy's point about the new application form. Getting it online is a good suggestion. It is designed to provide information needed by local authority for a full assessment of an applicant for social housing. There may be occasions where the provision of detailed information may be required, giving rise to a transfer. Background documentation may also be required under the old system but the new system is more comprehensive. It is a unitary system and allows one to work within the county structure.

I anticipated that Deputy Catherine Murphy was referring to County Kildare. We always fish near home. That county is preparing a new transfer application form for future use. I do not want to be prescriptive about this matter. I do not see the advantage of prescribing a standard application form for transfers. Most cases are dealt with quite easily and simply by the housing authority concerned. When it is agreed, the household is put on the transfer list. Deputy Murphy sought the reason for transfer and referred to antisocial behaviour. That is a significant cause of transfers. Local authorities are closer to people and the housing and staff officers know the situation on the ground.

Deputy Catherine Murphy: If we do not capture the reasons, we cannot respond when there is a problem. If the reason is included on a form, such as design issues or antisocial behaviour, one can then deal with it because one sees the nature and scale of the problem. That is why I ask for it to be included.

Deputy Willie Penrose: I do not see how this could be of benefit to the Department or to me. These matters are dealt with at local level.

Deputy Catherine Murphy: They are not dealt with.

Deputy Willie Penrose: There is no one better than people at local level to implement the transfer where appropriate. The last thing I want to do is to take a dictatorial attitude to whether someone should be transferred or the background reason for it. The background reason is a matter of discussion between the applicant, possibly a local representative and the

[Deputy Willie Penrose.]

housing officer involved. In 18 years as a member of a local authority, I thought this was the best way to ensure a transfer took place. Gathering statistics is one aspect of the matter and I am not against it. In fairness, Deputy Murphy is consistent on this point. The last thing I want to do is dictate to local authorities because that is the point at which matters go awry. Local authorities should receive their allocation and use the broadly standardised form in respect of the application system. The last thing the Department should want to do is tell local authorities how to effect the transfer. Every transfer should be treated on its merits and I would like to see local authorities retain autonomy.

Other Questions

Community Development

6. **Deputy Brian Stanley** asked the Minister for the Environment; Community and Local Government if he will not decrease the level of funding provided by him to support the community and voluntary fora across the State. [15623/11]

Deputy Phil Hogan: The community and voluntary fora carry out valuable work on behalf of their communities. They provide an important input to the work of local authorities, particularly in the context of their membership of local authority structures such as the strategic policy committees, joint policing committees and county and city development boards.

I recently approved allocations totalling €587,000 to the fora to support their work. Such funding is in addition to any other supports provided by individual local authorities including meeting the expenses of community representatives on the aforementioned local authority structures. On 2 June last I approved a further €55,000 per annum to the Irish National Community and Voluntary Forum for the next two and half years, subject to annual budgetary review. This is on top of the €19,000 already allocated to this body as part of the overall fora allocation. The National Community and Voluntary Forum is the representative body of the fora. I recognise that my Department's allocation to the fora in 2011 represents a 50% reduction in the amount available last year, arising from decisions on the 2011 Estimates. This decision arose against the background of our current economic circumstances, which require that public expenditure has had to be substantially reduced.

The priority in these circumstances is to limit to the greatest extent possible the impact of expenditure reductions on essential services and on those most in need. These considerations continue to hold. Therefore, while I have no plans at present to alter the current level of funding available to the fora, final decisions in this context will have to be made as part of the determination of the 2012 Estimates. The Government recognises the value of the work carried out by community and voluntary organisations, including the community and voluntary fora, which complements State endeavours in the community area.

Deputy Brian Stanley: Can the Minister confirm if funding for and oversight of the Family Support Agency will be subsumed into the local partnerships? Is he examining this matter at the moment? Will the Family Support Agency be brought under the umbrella of local authorities or existing local partnerships? I ask this question in the context of the review of quangos and State agencies.

Deputy Phil Hogan: Does this question refer to the Family Support Agency or the family resource centres? Are they linked?

Deputy Brian Stanley: They are the same bodies. The Family Support Agency funds the family resource centres.

Deputy Phil Hogan: The Minister for Children and Youth Affairs, Deputy Frances Fitzgerald, has a role and responsibility in that area.

Deputy Brian Stanley: Is the Minister involved in discussion about local authorities or local partnerships taking over?

Deputy Phil Hogan: Yes, that is a separate issue. I have been engaging with the community section, which was subsumed into my Department. We are examining where services are provided across a range of Departments and agencies. We want to eliminate duplication and triplication, which is unsustainable. We want to ensure that core funding for these community organisations being assessed at the moment is provided on a county basis. Each county has built up an enormous number of agencies and organisations. The community sector is telling me that it wants certainty, streamlining and responsive delivery of services. I do not want to see the money I am allocating creating administrative posts. I want to see the money allocated on the ground for use on services for which the community has applied. We are engaging with local government and the community sector in order to have synergy between the objectives of the community sector and local government.

Water Charges

7. **Deputy Michael Moynihan** asked the Minister for the Environment; Community and Local Government the plans he has in place to ensure an effective and cost efficient billing and collection system for water charges when they are introduced; and if he will make a statement on the matter. [15602/11]

14. **Deputy Denis Naughten** asked the Minister for the Environment; Community and Local Government the timetable for the establishment of Irish Water; and if he will make a statement on the matter. [15485/11]

44. **Deputy Denis Naughten** asked the Minister for the Environment; Community and Local Government the timetable for the establishment of Irish Water; and if he will make a statement on the matter.

51. **Deputy Liam Twomey** asked the Minister for the Environment; Community and Local Government the way he intends measuring leakage prior to water reaching the consumer; the steps he will take to penalise wastage by the new water management company if it fails to deal with water wastage on its infrastructure; and if he will make a statement on the matter. [15404/11]

Deputy Fergus O'Dowd: I propose to take Questions Nos. 7, 14, 44 and 51 together.

The programme for Government provides for the introduction of a fair funding model to deliver clean and reliable water. The objective is to install water meters in households and move to a charging system based on usage above a free allowance. The Department of the Environment, Community and Local Government is currently preparing a strategy to implement these proposals, including the funding of the metering programme and the installation of the water meters. No consultants have been employed by the Department in developing these proposals. Further details will be made available following Government consideration of the proposals.

[Deputy Fergus O'Dowd.]

The 34 county and city councils are responsible for the billing and collection of water and wastewater charges for non-domestic customers. In recent years some councils have been experiencing difficulties collecting charges from non-domestic customers. My Department is working closely with the councils in order to improve the rates of collection of charges from the non-domestic sector.

The programme for Government also proposes the establishment of a new State-owned water company. The memorandum of understanding between Ireland and the European Union and International Monetary Fund commits Ireland to undertaking an independent assessment of the establishment of a water utility. Consultants are currently being appointed and will shortly commence work on this assessment, which will examine the optimum role of the new company and will assist in defining the functions to be assigned to it. The expenditure for this consultancy is being met from within the Department's budget for consultancy services. Issues such as the approach to billing and revenue collection will be considered in the independent assessment due to be completed by the end of October this year. It is intended that the outcome of the assessment will be considered by the Government, together with proposals for the establishment of Irish Water, before the end of 2011.

Addressing leakage and reducing the levels of unaccounted for water are critical for the delivery of more efficient services. The water services investment programme provides for a significant acceleration in the level of investment in this area, providing for contracts with a total value of some €321 million to commence in the period 2010 to 2012, which is more than double the level of investment over the previous decade. It is estimated that these contracts will allow for the replacement of 640 km of mains or about 3% of the public national network. The installation of water meters in households will complement this investment and facilitate more effective management of the water distribution networks.

Deputy Niall Collins: I thank the Minister of State for his reply. We have already heard much today about water but I will recap. There is a great concern in the local authority sector about the establishment of this new company, Irish Water, because thousands of people are already employed in the provision of water services across the local authority sector. These people have real jobs contributing significantly to Irish society through dedicated work.

Will the Minister of State give a guarantee that everybody engaged in the provision of water services across the local authority sector will not lose employment when Irish Water is established? With regard to billing and collection, will the Minister of State give the Irish people any degree of information on a waiver that may be obtainable for people who are unemployed, on low incomes, sick, or people with disabilities or who have children? There is much concern about the advent of water charges coming down the tracks and people want to know if any light can be thrown on the issue at this point.

Deputy Fergus O'Dowd: Approximately 4,000 people are currently working in the water services programme, with 4,000 others providing ancillary services. The installation of meters will provide jobs for 1,500 to 1,800 people each year for at least three years. We will have more people working than ever before.

The Deputy asked what will be Irish Water, and that question will be answered in the report. Recommendations will be made which will not be binding on the Government and when the Minister gets that report, certainly by October this year, there will be absolute clarity as to what Irish Water will be doing. Recommendations may even indicate a possibility of an existing semi-State entity becoming Irish Water. There could also be a completely new programme.

The question of employment is critical and more people, rather than fewer, will be working in water services because of our future investment programme.

Deputy Niall Collins: I also asked about a waiver from the payment of water charges for people on low incomes, those who are sick and people with disabilities. Will the Minister of State throw any light on that?

Deputy Fergus O'Dowd: When the details are made available they will be made public and the Government will consider all aspects of the report. I did some research on other countries and many do not provide a free allowance. It is clear that within each home that will pay for the service, there will be an opportunity to reduce water consumption and the consequent bill. All of those issues must be dealt with and a decision has not yet been made. When a Government decision is made, there will be a discussion in the Dáil.

Building Regulations

8. **Deputy Mary Lou McDonald** asked the Minister for the Environment; Community and Local Government if his attention has been drawn to the serious problems with pyrite throughout the country; the level of funding he will make available to both private tenants and local authorities to tackle this problem; and the engagement he has had with developers who use pyrite in their developments. [15639/11]

Deputy Phil Hogan: I am acutely aware of the difficult and distressing position faced by many homeowners and tenants who have been affected by the pyrite problem. In this context I welcome the judgment issued by the High Court on 25 May 2011 in the case of James Elliott Construction Limited v. Irish Asphalt Limited. The judgment in that case found Irish Asphalt Limited liable for the supply of defective filler material.

The remediation of homes affected by pyrite is a matter for the parties concerned, namely the building owner, the relevant developer and the builder's insurers. Enforcement is essentially a civil matter. I understand that following civil proceedings relating to homes affected by pyrite in north Dublin, a final settlement was reached and a trust fund established by the developer concerned. My Department is aware of one regeneration project, Ballymun regeneration, where higher than acceptable levels of pyrite have been discovered at three locations, namely the Ballymun central youth facility, a new apartment complex at Sillogue 4 and completed and tenanted units at Poppintree 5.

With regard to the youth facility building, remedial works costing an estimated €1.25 million were carried out satisfactorily by the contractor in accordance with the terms of the contract and at no extra cost to the Exchequer. In the case of the apartment complex at Sillogue 4, extensive remediation works are deemed necessary. The regeneration company, with the support of my Department, has been engaging with the contractor to identify the optimum solution. As this is a live contract, it is envisaged that the remedial works will be carried out under the terms of the contract and at no additional cost to the Exchequer.

My Department was recently notified of a potential pyrite problem at a completed and tenanted development at Poppintree 5. The regeneration company, together with Dublin City Council, is currently assessing this matter. As soon as all the facts have been established, the regeneration company will put measures in place to ensure that residents are fully informed of the extent of the problems and the solutions to be put in place to address these. I will inform the Deputy at the same time.

Deputy Dessie Ellis: I am aware of the court case and its implications but we assume there will be an appeal to the Supreme Court, which could take three or four years. Even since the cases outlined in the reply there have been more suspect cases involving pyrite in Ballymun. Two more places have been identified and there was a public meeting recently to discuss the major problem.

The issue is mainly confined to Dublin and its north side. People resorting to litigation could see the process strung out for years and no result might come about because the problem is so big. We must consider making some kind of funding available. We all know money is scarce but I have been to these houses and looked at them. It is traumatic for any family to have their houses torn asunder.

An Leas-Cheann Comhairle: This is Question Time not statements.

Deputy Dessie Ellis: The Minister was prepared to speak with me about the pyrite problems as a meeting was arranged but cancelled.

An Leas-Cheann Comhairle: The Deputy should ask a question about it.

Deputy Dessie Ellis: Will that meeting be arranged again?

Deputy Phil Hogan: There is no liability on the part of the State.

Deputy Dessie Ellis: I understand that.

Deputy Phil Hogan: The case outcome vindicates the position taken by the Department as far back as 2007. In accordance with technical guidance documents published to accompany Part D of the building regulations, the material used as infill should be proper material fit for purpose and the conditions for which it is used. I can understand people are worried, particularly with regard to funding, but HomeBond is a private company and the Department has fulfilled its obligation on standards. We are examining the court case to see what we can do to meet a representative group, as the Taoiseach indicated in the Dáil some weeks ago. The Minister of State, Deputy Penrose, and I will meet a representative group of Deputies and others in due course. We want to reach conclusions on the cases I mentioned relating to the Deputy's constituency also. We will revert in a couple of weeks and make the necessary arrangements to give more information.

Deputy Dessie Ellis: I thank the Minister. The issue is serious and affects Fingal, Coolock and many other areas. We will end up seeking central funding of some description.

Political Reform

9. **Deputy Billy Kelleher** asked the Minister for the Environment; Community and Local Government the political reform measures promised within the first 100 days of Government that have been achieved. [15598/11]

Deputy Phil Hogan: The programme for Government commits to a radical overhaul of the way Irish politics and government work. It sets out a wide ranging series of commitments to this end, a number of which are within my areas of responsibility. I am committed to working with my Government colleagues to implement these measures in full.

On 8 June 2011, I published the general scheme of the Electoral (Amendment) (Political Funding) Bill 2011. Provision is made for the restriction of corporate donations, a reduction in the amounts that can be received as political donations and a reduction in the thresholds for

declaring political donations. Political parties will also now be required to submit their annual accounts to the Standards in Public Office Commission for publication. The new legislation includes a provision that political parties will face a cut of half their State political funding if they do not have at least 30% women and 30% men candidates at the next general election. This will then rise to 40% after 7 years. In line with the Government's commitment to reform the way legislation is debated and implemented, I have published the general scheme and invited public input on its contents.

In addition, provision is made in the Government's legislation programme in the current Dáil session for an electoral (amendment) Bill 2011 to provide for the implementation of a number of recent decisions announced by the Government. As part of the agenda to make the political system leaner and more efficient for its citizens, the terms of reference for the Constituency Commission will be changed in this Bill to provide for a reduced number of Deputies. The Bill will reduce the spending limits at presidential elections from €1.3 million to €750,000 and reduce the amount that candidates can be reimbursed for expenses from €260,000 to €200,000. As a further measure, the Bill will provide that all Dáil by-elections are called within six months of a vacancy arising.

Deputy Niall Collins: Has any of the Government's objectives been achieved over its first 100 days apart from the announcement of a schedule of deliverables?

Deputy Phil Hogan: The Deputy may not understand that it takes time to agree a policy position, debate the issues in Cabinet and draft and publish the legislation. In the area of political reform, we have done more in 100 days than any other Administration in the history of the State. I look forward to the Deputy's support when these matters are brought before the Dáil and I hope the proposals I outlined will be given a speedy passage.

Deputy Niall Collins: Fine Gael introduced the gimmick of the first 100 days. It was not Fianna Fáil or any other Opposition party.

Deputy Dessie Ellis: A statement on housing policy was issued today as part of the review. I am concerned that the Minister may scrap the affordable housing scheme as it is currently constituted. Is that his intention? The scheme was introduced at a time when houses cost €300,000 and €400,000 but the subsequent decrease in prices to €160,000 or €180,000 does not mean affordable housing is no longer required.

Deputy Phil Hogan: Better value can be obtained on the open market than through the affordable housing scheme under Part V. It does not make sense to continue the scheme in those circumstances. The Minister of State, Deputy Penrose, is working assiduously with the National Asset Management Agency, a quango we would prefer not to have inherited, to roll out the social dividend in terms of providing housing to people on the waiting lists. There will be opportunities for people to purchase houses under the new scheme outlined today. As well as a leasing programme over 20 years, there will be options to purchase incrementally or otherwise. The affordable housing scheme has outlived its usefulness and we want to ensure people are able to borrow money to buy houses at the competitive prices which obtain today.

Deputy Dessie Ellis: May I ask a brief supplementary question?

An Leas-Cheann Comhairle: The matter is not directly relevant but the Deputy may ask a brief question.

Deputy Dessie Ellis: Properties could be made available through NAMA at affordable prices.

Deputy Phil Hogan: I am happy to take that on board.

Social and Affordable Housing

10. **Deputy Mary Lou McDonald** asked the Minister for the Environment; Community and Local Government if his attention has been drawn to the situation in which affordable housing which has been bought by Dublin City Council in Clare Village, Malahide Road, Dublin 17, is being tied up in legal issues with the National Assets Management Agency leaving persons on waiting lists; and if he will make a statement on the matter. [15638/11]

Deputy Willie Penrose: The operation of Part V, including the purchase of housing units for social or affordable housing purposes, is a matter for the local authority concerned. In the particular instance referred to in the question Dublin City Council informed my Department that it entered an agreement under Part V for the provision of 49 social units at Clare Village.

Funding has been approved by my Department under the capital assistance scheme to Tuath housing association for the purchase of the units in question. I understand that the first of the sales will conclude shortly with the balance to close during the summer. The units will be ready for occupation immediately thereafter. My Department is not aware of any legal issues involving the National Asset Management Agency or the developer in question.

Deputy Dessie Ellis: I understand these units were tied up in a legal wrangle because they were brought into NAMA. They were paid for by the local authority but legal issues arose before they could be delivered. They have been sitting there for a long time. Is it possible for the Department to intervene with NAMA ensure the units are released?

Deputy Willie Penrose: As far as I am aware there is no impediment to selling the units and it is expected that sales will be closed over the summer and the units will be ready for occupation immediately thereafter. However, if Deputy Ellis has specific information I would be willing to pursue the matter with the chief executive and chairperson of NAMA. My Department and, I am sure, the local authority considers it critical that the houses are allocated at the earliest opportunity.

Rural Development

11. **Deputy Robert Troy** asked the Minister for the Environment; Community and Local Government his plans to re-structure the LEADER companies rural development; and if he will make a statement on the matter. [15594/11]

Deputy Phil Hogan: The programme for Government and the 2010 report of the local government efficiency review group both outline the need to develop and improve the synergies between the programmes and plans of local development bodies and the work of local government. Increased co-operation will provide qualitative and quantitative efficiencies and should improve the impact of relevant programmes and plans of both the local authorities and the local development companies.

While there are currently no plans to restructure the local action groups or Leader groups, work is underway to assess the potential for co-operation between local government and other agencies delivering funding programmes for the State, including local action groups. All the relevant stakeholders will be involved in this process with the ultimate aim of improving the delivery of services to the public as outlined in the programme for Government. This work is being pursued as rapidly and substantively as possible and it would not be appropriate to predetermine the results at this stage. However, the Government's objective generally is to

pursue efficiencies in all local structures and to ensure that delivery systems are as effective as possible for the public.

Deputy Niall Collins: I refer specifically to Leader companies, which now come under the Minister's remit. Is there any merit in aligning these companies along county boundaries? One company straddles my own county and County Cork. Is it possible to achieve efficiencies in this regard?

Of the €427 million earmarked under the Rural Development Programme 2007-2013, only €102 million has been spent or contractually committed to date. This is surprising given the current environment. Has the Minister plans to spend the remaining funds?

Deputy Phil Hogan: I will take on board the Deputy's suggestion about aligning the Leader groups and local development companies generally with county boundaries and local authorities. I have an open mind on the matter and will consider it in the context of our discussions. The rural development programme was slow to give itself up and there is a significant under-spend at present. We are encountering difficulties with ACCESS 1 funding, particularly in regard to the food sector. We are working with the European Commission to determine how we can transfer ACCESS funds in order to allow the programme to continue. A total of €62 million is available this year.

Local Authority Services

12. **Deputy Bernard J. Durkan** asked the Minister for the Environment; Community and Local Government the degree to which he has satisfied himself that the commitment given to the House by a predecessor during the passage of legislation to abolish the dual mandate, to the effect that Oireachtas Members would continue to have access to the local authority institutions in line with that then in existence, the discussions he has had with the local authorities in this regard; and if he will make a statement on the matter. [15589/11]

Deputy Phil Hogan: The Local Government Act 2001 (Section 237A) Regulations 2003, provide, *inter alia*, for the supply of specified documentation to Oireachtas Members by the local authority such as the local authority budget, draft development plan, etc. It is a matter for each local authority to deal with requests for access to information by a parliamentary representative as expeditiously as possible and in accordance with a proper level of customer service. In this regard, local authorities are required to put in place arrangements to ensure that systems, procedures and time frames equivalent to those used by them in regard to correspondence from local authority members also apply in respect of parliamentary representatives. Managers are required to meet at least annually with local Oireachtas Members to provide an opportunity for an update on developments and for any difficulties encountered to be raised and addressed.

My Department has gathered information from local authorities on a periodic basis on the practical application of the arrangements established by the regulations. Based on the information received, I understand that local authorities are generally complying with these arrangements. I will continue to monitor compliance by local authorities with the regulations.

Deputy Bernard J. Durkan: I thank the Minister for his reply. Arising from the commitment by a previous Minister to the House during the passage of the legislation referred to in the question wherein he indicated the desirability of interaction between Oireachtas Members and local authority members with a view to keeping a united approach on the issues likely to arise in local authority areas, could the Minister further indicate whether it might be desirable to

[Deputy Bernard J. Durkan.]

review the extent to which the commitment is being carried out to date, and that we do not have a situation of a dwindling line of correspondence between the Oireachtas and local authorities?

Deputy Phil Hogan: I understand the Deputy's concern. I have not received any representations about a problem in that regard. If Deputy Durkan has information to that effect I would be pleased to receive it to ensure compliance with the operation of the regulations as set out in the legislation. I understand local authorities are responsible for delivering a range of essential services to the public. It is important that public representatives are kept fully informed, including Oireachtas Members. The intention of the regulation is that at least one meeting a year is held but that does not confine managers to having only one. Most managers have more than one meeting. If there is a general problem with the Kildare County Council area I would be pleased to receive details from the Deputy.

Deputy Bernard J. Durkan: I was not referring to Kildare in particular.

Deputy Phil Hogan: I do not know where Deputy Durkan was referring to if it was not Kildare.

Deputy Bernard J. Durkan: I was thinking about Kilkenny.

Deputy Phil Hogan: I will look after Kilkenny.

Waste Management

13. **Deputy Barry Cowen** asked the Minister for the Environment; Community and Local Government when he will be announcing his review of the provisions of the Environment Miscellaneous Provisions Bill 2011 relating to the waste facility levy. [15599/11]

Deputy Phil Hogan: I stated in the course of the Second Stage debate on the Environment (Miscellaneous Provisions) Bill on 14 April 2011 that I will announce my decision in respect of the waste facility levy provisions of the Bill on Committee Stage.

The Bill is a very important component of the national approach to waste and in the course of the Second Stage debate I outlined the guiding principles which will inform the waste policy development process, including the use of appropriate economic instruments. Those principles will serve to ensure that future waste policy will be designed to minimise the volumes of waste generated and to extract the maximum value from those wastes which do arise; be founded on a firm, evidence-based understanding of the many scientific, economic and social issues which are inherent elements of the waste policy discourse; and be designed to facilitate necessary investment in infrastructure, within an appropriately regulated waste market framework. The date for Committee Stage has not yet been set, but I expect that it will be taken in the next few weeks.

Question No. 14 answered with Question No. 7.

Urban Renewal Schemes

15. **Deputy Dessie Ellis** asked the Minister for the Environment; Community and Local Government the efforts he has made to ensure that any contracts issued for regeneration works, like those undertaken by Limerick Regeneration Agency, will have a social element incorporated that will ensure local employment is provided to local persons. [15636/11]

Deputy Willie Penrose: The national regeneration programme targets the country's most disadvantaged communities, particularly those defined by extreme social exclusion, unemployment and anti-social behaviour. Regeneration seeks to rebuild those damaged communities by

improving not just the physical environment in which people live, but also by investing in the social and economic life of the areas. This holistic, multi-agency approach ensures that regeneration is sustainable, beyond just the initial construction phases, and generates long-term advantages in terms of improvements to housing and the local environment, improved community and social facilities and services, as well as new employment and enterprise opportunities in these areas.

My Department currently supports an ambitious programme of regeneration projects ranging from broad area-based regeneration such as those at Ballymun and Limerick, to smaller, estate-focused projects in inner city locations and regional towns across the country. All of the projects seek to deliver social, economic and physical regeneration with a strong community involvement in the process.

The holistic approach follows through into the creation and support of employment in those areas, through a broad-ranging approach that involves new training places being provided for unemployed members of the community, the use of community employment schemes for estate enhancement elements of regeneration and, in the larger regeneration projects such as in Limerick, specific new enterprise supports. There is also a significant knock-on effect on local employment, both direct and indirect, from the construction contracts included in any regeneration project, not to mention the employment opportunities provided in the newly constructed community and commercial facilities that are often delivered as part of regeneration.

My Department and the local authorities and agencies charged with delivering on regeneration are committed to exploring every opportunity to stimulate local employment opportunities as part of the construction contracts, having due regard to national and EU procurement legislation. Notwithstanding the legislative constraints and the need to avoid restrictive or challengeable contractual practices, it is possible to make provision for construction contracts to contribute to the achievement of certain social policy objectives, for example, providing employment opportunities targeted at long-term unemployed people or providing work placement and other skills training opportunities as part of the contract. I understand, for example, that the contract award criteria for the new housing development at Cliona Park, Moyross, include an objective on employment opportunities for the long-term unemployed.

Deputy Dessie Ellis: I am pleased to hear that some of the long-term unemployed will be looked after. This has been a bone of contention in many communities where regeneration has taken place, that the contracting of local people has always been ruled out. We have been told time and again that it is due to EU directives. The Minister for Regional Development, Conor Murphy, was able to ensure that projects undertaken in the North did involve local contracts. It is not beyond the realms of possibility that we can get contracts awarded to local people. In Ballymun in particular local labour was not directly employed in many of the schemes and those employed were generally not local people. There was a spin-off in terms of different types of jobs but the direct employment of people on building sites was always a big bone of contention.

I accept what the Minister said. I am pleased to hear that some unemployed people will be looked after in Limerick.

Deputy Willie Penrose: We are somewhat constrained by EU and Irish legislation in terms of the principle of equal treatment which provides that companies may not be discriminated against on the basis of their nationality or location. Procurement legislation and guidelines provide for that in all public contracts and contracting authorities are precluded from awarding contracts solely on the basis that work should be provided by local firms or other similarly restrictive clauses. That said, I accept the Deputy's point. Examples of conditions where one can have a clear social or environmental impact must be set out in advertisements.

[Deputy Willie Penrose.]

Dublin City Council apply a requirement that any job vacancy beyond a contractor's core workforce be recruited where practicable from the local FÁS office. The Limerick Regeneration Agency and Dublin City Council both promote the employment of long-term unemployed people as part of their contracts. As Deputy Ellis is aware, local contractors win contracts, which can help the situation. In Waterford, six contractors from the south east of the country are delivering nine regeneration work projects. In Cranmore in Sligo nine local contractors have been employed directly or indirectly to deliver on a range of regeneration works from demolition to refurbishment to estate works. In the Mitchels regeneration project in Tralee two local contractors have been awarded construction and demolition contracts. In Cork city the recently completed €30 million project at Knocknaheeny Block D was delivered by a local contractor. That is good news but I accept Deputy Ellis's point that where possible we should employ local people who are unemployed. I would be a strong advocate of that within the confines of the system in which we must work.

6 o'clock

Proposed Legislation

16. **Deputy Martin Ferris** asked the Minister for the Environment; Community and Local Government if his attention has been drawn to the damage that climate change is doing to our environment; his views on whether this is an issue that can be put on the long finger; if he will give a commitment to bring forward the date of publication of a climate change bill to this year; and if he will make a statement on the matter. [15629/11]

Deputy Phil Hogan: Climate change is widely recognised as the most fundamental and far-reaching environmental challenge to humanity, both globally and nationally.

Ireland has already signed up to meeting demanding legally binding targets for the purposes of the Kyoto Protocol and under the climate and energy package agreed by the EU in December 2008. By 2020, this country will be required to achieve the equivalent of a 20% reduction on its 2005 levels of greenhouse gas emissions in the sectors of the economy not covered by the EU emissions trading scheme, ETS. This legally binding target will have to be met, irrespective of national climate legislation.

This poses a significant challenge for Ireland and will require a robust, whole-of-Government response. Any new legislation on climate change must encapsulate and give overarching support to the objectives and binding commitments at international level in the context of the United Nations Framework Convention on Climate Change and within the ambitious EU agenda.

In the reply to Question No. 56 of 17 May 2011, I set out my planned timetable for the implementation of the programme for Government commitment to publish climate legislation. I believe the timetable is appropriate, given the importance of ensuring a widely supported and robust national climate policy that provides a basis for meeting the serious challenges we face in the period to 2020 and beyond. I look forward to the constructive engagement of all parties in the House when I publish the consultation paper on climate legislation early next year.

An Leas-Cheann Comhairle: Deputy Richard Boyd Barrett.

Deputy Richard Boyd Barrett: Does Deputy Ellis not get to go first?

An Leas-Cheann Comhairle: There is no one offering. Deputy Ellis.

Deputy Dessie Ellis: The Minister said he would publish this paper early next year, but over the last number of years we have had major ups and downs and freak weather conditions, which are becoming more and more common. We have had snow, wind, rain and everything

else in the last couple of years. The situation is serious. I wish we could move this forward now and not wait until next year to address it because it is so urgent.

Deputy Phil Hogan: I know Deputy Ellis was not a Member of the last Dáil, but I remind him that we have much ground to make up in terms of bringing people together after the unnecessary divisiveness that my predecessor created on this issue. I have asked my Department to take stock of our position on climate change. On foot of a commitment contained in the National Climate Change Strategy 2007-2012, the Department is in the process of developing a national climate change adaptation framework, which is an important step. It will help to position Ireland in the debate but it will also help us adapt to the inevitable impacts of climate change that the Deputy mentioned.

Deputy Richard Boyd Barrett: I apologise if I cover ground that has already been covered, as I came in late.

Could the Minister tell us whether we are facing fines? Where are we in terms of our EU targets for reducing emissions? Are we on track to meet these targets? I believe, although I cannot swear to it, that we are close to meeting our Kyoto targets, but are we close to meeting the EU targets, and are there fines pending if we do not meet them?

I was contacted by a resident of Bettystown, which is not in my own constituency.

Deputy Fergus O'Dowd: It is in my constituency.

Deputy Richard Boyd Barrett: There you go. The Minister of State must not have responded to the call. Anyway, he had a very good idea, which I think is fiscally neutral — I see the heads pop up — for large-scale retrofitting of houses with insulation, thus reducing CO₂ emissions, saving energy and potentially creating jobs, on the basis of a loan scheme at reasonable interest rates. This would make up the gap between the grants that are available, which do not cover all the costs, and the rest of the cost, which people might not be able to pay upfront. Who should we go to with good ideas such as that, and how can we discuss and make progress on them?

Deputy Phil Hogan: I would be glad to receive any positive proposal the Deputy might have to achieve our national and international objectives. I do not anticipate any EU fines if we implement our national climate change strategy successfully. We will meet our commitments under the Kyoto protocol, largely because we are in recession, although that is not a good reason to meet our targets. We are now engaged in a process with sectoral interests to ensure we meet our Europe 2020 obligations, which are much more challenging; transport and agriculture in particular represent a major challenge. I look forward to receiving those proposals in due course from the Deputy.

Local Government Reform

17. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment; Community and Local Government his plans to enhance the powers of town councils, in particular towns that were former town commissions; and if he will make a statement on the matter. [15631/11]

Deputy Phil Hogan: A range of work relevant to local government reform is under way or in planning arising from the report of the local government efficiency review group and I am reviewing the next immediate steps to augment this undertaking. I will also be considering wider proposals to renew and develop the local government system in line with the Government's programme and building on relevant research and analysis already undertaken in this area.

[Deputy Phil Hogan.]

Key objectives under the Government programme include devolution of greater decision-making to local level, strengthening the powers and functions of local authorities, enhancing the development and leadership role of local government and strengthening its structures and funding arrangements. I intend bringing proposals to Government later this year to take forward the proposals in the programme to strengthen the local government system and improve its capacity to meet current and future challenges and to make a substantial contribution to the national recovery effort. In this context, the powers of town councils and their future within that system will be considered.

Deputy Brian Stanley: The specific question I am asking here is about town councils. As a former town councillor, I have an interest in this. My concern is that the town council of a town such as Mullingar — with which the Minister's colleague, Deputy Penrose, will be familiar — which has a population of 25,000, has town commission status and no rating powers, and the greater Portlaoise area has a population of 18,000; yet a town such as Templemore, with a population of 2,700 or 2,800, has a rating authority. I ask the Minister to consider this in the context of local government reform.

In addition, if the Minister intends to do away with quangos, particularly at local level, I ask him to investigate possible fits between their roles and those of town councils. Is it part of his thinking that the roles of such quangos will be brought under the remit of town councils? Town councils are democratically elected and they could be used to administer some of those programmes. Is it the Minister's intention to enhance the powers of town councils specifically? I heard him say that he intends to devolve more powers to local authorities. In a general way, I welcome that, as would my party. However, my specific question is whether the Minister intends to improve the powers and functions of town councils, particularly former town commissions.

Deputy Phil Hogan: My general principle is to ensure that as much power as possible is devolved from central to local government, and obviously town councils have an important role, as they are the closest body to the citizens in urban areas. County councils also have a role and are close to citizens. However, there is some duplication. In the context of the proposals we will introduce in the autumn, we will be examining how to define the role of each type of authority. I do not expect to abolish town councils. I do not have plans to abolish the town councils of Portlaoise and Mullingar, or I would be in desperate trouble. I do believe there are roles, responsibilities and structures that are commensurate with the times we are in, and that councils can deliver services to the citizen in a cost-effective way. In addition, they must have the capacity to implement some of the devolved functions that will be given to them.

Departmental Properties

18. **Deputy Martin Ferris** asked the Minister for the Environment; Community and Local Government in relation to the ground rents that are paid by him, if he will provide a breakdown of the total cost of this annually and a breakdown of the amount the ground rents are for each property. [15630/11]

Deputy Phil Hogan: The management of the property my Department occupies is primarily a matter for the Office of Public Works. My Department does not pay ground rent on any property.

Deputy Brian Stanley: Based on that reply, is the Office of Public Works paying ground rents?

Deputy Phil Hogan: The Deputy will have to ask the OPW.

Deputy Brian Stanley: All right. That is a separate question. In addition, does the Government have any plans that the Minister is aware of to make alterations to the legislation dealing with ground rents? There is no sign of it in the programme for Government.

Deputy Phil Hogan: In a reply to a question from Deputy Adams on 11 May, the Minister of State at the Department of Finance, Deputy Brian Hayes, listed 50 properties on which the OPW pays ground rent, at a total cost of €5,128.94 annually. The Minister of State also indicated that no legislation was promised, but we referred to existing legislation and we have undertaken to examine the possibilities of what the Deputy is advocating.

Local Government Reform

19. **Deputy Niall Collins** asked the Minister for the Environment; Community and Local Government the status of the Brosnan Report; the discussions he has had with the author of this report; and if he will make a statement on the matter. [15592/11]

Deputy Phil Hogan: The report of the Limerick local government committee was published in September 2010. The core element of the committee's recommendations was that a single local authority for Limerick should be established in place of the current Limerick City and County Council. Other related recommendations included the election of a mayor of the new unitary authority after the 2014 local elections for the full-five year term of the Council; the retention by the new authority of savings arising from the restructuring and the use of these to lower rates within the current city area to levels pertaining in the county; and support for priority projects such as regeneration, including the incorporation of the two regeneration agencies under the new local government structure.

Since taking office, I have given careful consideration to the committee's recommendations and consulted with several relevant parties, including the chair of the committee, Mr. Denis Brosnan, Clare County Council, Limerick County Council and Limerick City Council. I am aware there is a wide level of agreement on the need to strengthen local government arrangements in Limerick. I anticipate that decisions will be taken by the Government in the next several weeks.

Deputy Niall Collins: The Minister did not consult with me. However, he need not worry because I agree with the report's recommendations. Local newspapers will have an exclusive at the weekend that the Minister has taken a decision to go ahead with the unitary authority. Perhaps there is a leak in the system. Of course, I am not saying we have a tradition of leaks.

Deputy Phil Hogan: Deputy Niall Collins would not want to believe everything he reads in the newspapers. I suffered in the past from leaks in the Department and I am not going to do so again.

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 Timmy Dooley — the reconfiguration of vocational education committees with particular reference to Clare VEC; (2) Deputy John O'Mahony — the need to review the current criteria for participants in community employment schemes and the need to increase the overall intake; (3) Deputy Eoghan Murphy — the need to consider the adoption of an entrepreneur visa similar to that in the UK; (4) Deputy Michael Healy-Rae — the cost of school books; (5) Deputy Pat Deering — the provision of funding in respect of a new hospice in Carlow; (6) Deputy Caoimhghín Ó Caoláin — the need to take action to get financial

[An Leas-Cheann Comhairle.]

institutions to extend credit to viable businesses; (7) Deputies Richard Boyd Barrett, Anne Ferris — the closure of the 24-hour accident and emergency at St. Columcille's Hospital, Loughlinstown, Dublin, in particular and the cutbacks to hospital services in general; (8) Deputy Brendan Smith — the need for the Minister for Health to ensure GP services are restored, without delay, to Ballinagh Health Centre, Ballinagh, County Cavan; (9) Deputy Brendan Griffin — the need for a new approach in the treatment of acquired brain injury and the need to maintain funding to the Castleisland unit and all centres throughout the country; (10) Deputy Peter Fitzpatrick — the loss of a teacher, a special needs assistant and a resource teacher at Ballaphousta national school, Ardee, County Louth; and (11) Deputy Joe Costello — if 16 June will be designated as a national holiday to celebrate the great literary tradition here.

The matters raised by Deputies Ó Caoláin, O'Mahony, Joe Costello, Boyd Barrett and Ferris have been selected for discussion.

Adjournment Debate

Credit Availability

Deputy Caoimhghín Ó Caoláin: The Minister for Finance and the Minister for Jobs, Enterprise and Innovation need to act urgently because the banks in this State are actually destroying viable businesses. The Government and its predecessor have poured billions of public money into these banks. The present coalition in its programme for Government and in its so-called jobs initiative has made commitments to make credit more readily available to small and medium sized enterprises. Those commitments have not been fulfilled, however. On the contrary, banks are coming down like a tonne of bricks on viable family businesses, causing untold distress to individuals, throwing people on the dole and further damaging local economies and the national economy. This is not some urban myth of the recession but happening every week. Every Deputy must be aware of it in his or her constituency.

I want to bring to the attention of the Minister, the Dáil and the wider public a prime example of how the punitive and unnecessary actions of financial institutions are causing such damage. Quinn's Superstore in Carrickmacross, County Monaghan, was a family-built, family-owned and family-run retail and service station business. It was very successful and employed 50 people. Begun by Bridie and Paddy Ward, it was taken over by their daughter and son-in-law Brigid and Michael Quinn 23 years ago.

Michael and Brigid grew a highly successful and profitable business. In 2006 they were in a position to take out an €8 million loan from AIB to redevelop their premises completely. A major road works project outside their premises caused serious losses but they carried on. The Quinns were able to reach an agreement with the Revenue Commissioners whereby they repaid almost €20,000 per month to clear arrears. It was at this stage that, having paid over €8,000 per week in loan repayments to AIB over a long period, the family business sought some respite from the bank until it cleared the Revenue debt. The bank, however, refused to listen. The Quinns had to stop the bank loan repayments for three months.

The business began to recover and in December last year the Quinns offered to resume repayments to AIB with an increased figure, over and above the previous €8,605 per week. Incredibly, the bank refused and in January of this year AIB demanded the repayment of the balance of the loan in full and sent in receivers to take over the business.

The Quinns have received widespread support from the people of Carrickmacross, from other businesses in and around the town and, just last week, from Monaghan County Council which adopted a motion of support proposed by Sinn Féin councillors. In spite of this, the

family has been locked out of its business, prompting protests, including a sit-in. All of this stems from the punitive action of AIB, its refusal to listen to reason and to see that a successful and viable business, with the co-operation of the bank, was in a position to repay the loan and on better terms than previously from the bank's point of view.

Contrast the treatment meted out to customers by the banks with the revelation that Bank of Ireland is still paying out tens of millions of euro to directors, their families and cronies in privileged loans, as shown in the Bank of Ireland annual report. It beggars belief.

I raise the case of the Quinn family business as typical of others throughout the country. I appeal to the Minister for Finance and the Minister for Jobs, Enterprise and Innovation to intervene in this case with the bank which is effectively owned by the taxpayer. I appeal also for the Ministers to exercise their authority in terms of the policy and strategy of the banks and to call a halt to this type of destructive and punitive approach.

It is time more was put in place to protect people in this position. There needs to be an authority or body which can mediate in this sector, something along the lines of the Labour Relations Commission. That is a proposal we should explore and develop. When the Quinn family was put out on the street by the bank, it had no one to which it could turn for redress. In the meantime, pending the establishment of such an independent mediation service, the banks must be required by the Government to act as facilitators for economic activity and economic growth, not as terminators of viable businesses.

Minister of State at the Department of Finance (Deputy Brian Hayes): I thank Deputy Ó Caoláin for raising this matter. I did not know of the particular case to which he referred and was interested to learn about it on the floor of the House. It has been well publicised locally and there are many issues which AIB must address. I will raise this matter with the Department of Finance, the Minister for Finance and the Minister for Jobs, Enterprise and Innovation to see what can be done in this specific case.

The Government is acutely aware of the importance of credit to viable businesses and has taken several steps in this regard in its first 100 days. While it has made some progress in this area, it is important we move beyond slogans. The recent report of the credit reviewer, Mr. John Trethowan, shows that in seeking to move forward to ensure a flow of credit that underpins economic growth and jobs creation we are faced by a myriad of challenges and difficulties. These have the potential to impede fundamentally viable businesses in accessing the bank lending they require. An important focus of the Government is, therefore, to identify these impediments and to bring forward appropriate initiatives.

The Central Bank has estimated that for the SME and mortgage sectors, credit of €11 billion to €16.5 billion of gross new lending will be required in total over the next three years. The Government's plan creates the capacity for the pillar banks to lend in excess of €30 billion over the same three year period in SME and other important sectors. In other words, they should be more than able to meet lending requirements. This is only one side of the lending story. Viable businesses must also seek credit and when it is approved by the banks, they must actually draw it down and the relevant funds put to productive use within the real economy.

The Government has agreed that the loan guarantee scheme will be a temporary, partial credit guarantee scheme targeted at market failures resulting from a lack of collateral or banks not being sufficiently focused or knowledgeable in particular business sectors. In line with the recommendation contained in the recent report of the Credit Review Office, an appropriately designed loan guarantee scheme also has a potentially important role in assisting fundamentally viable businesses which have difficulty in obtaining bank finance as a result of their overall level of indebtedness. The Taoiseach reconfirmed his commitment to the scheme as recently as 13 June last. The notice of the competition to design the scheme was advertised on e-tenders

[Deputy Brian Hayes.]

on 15 June, with a closing date of 7 July. It is envisaged that the scheme will be up and running in the autumn.

As part of the troika agreement with the EU, the ECB and the IMF, the Central Bank of Ireland has committed to publishing a report on the treatment of loans in arrears under the code of conduct for business lending to small and medium enterprises and aims to provide standards for banks concerning their handling of past due loans of still viable entities and where recovery appears feasible. The latter is particularly relevant in the context of the business entity in his constituency to which Deputy Ó Caoláin referred. The Central Bank's work on the code only at the initial consultation stage at present. However, it will be in place in the autumn. The code will provide a framework within which the banks will deal with SMEs whose loans are in arrears. I must stress that this is not about debt forgiveness for businesses but rather about ensuring that the banks deal fairly and honestly with customers who are in arrears.

As part of the credit suggestions initiative, the Minister requested suggestions from members of the public on what can be done to encourage viable businesses to seek credit. Over 100 such suggestions were submitted by members of the public and the most frequent, relevant and productive of these will be published shortly. These can then be implemented, as appropriate, by the relevant organisation or organisations. This response — which has come about within a very short timeframe — reflects the importance of this issue to small businesses. I wish to record my appreciation to everyone who took the time to submit suggestions.

I wish to make one further point in respect of credit to small businesses. There is a great deal of negative publicity regarding the availability of credit emanating from certain areas and this could discourage people from seeking credit. People should not be afraid to seek credit from their banks. In many cases, they have been good customers for many years and I would expect the banks to stick with them even in bad and difficult times. The banks have received massive support from taxpayers, many of whom own businesses. If a customer is refused credit, he or she should always invoke his or her right to an internal review within the relevant bank. If this is not successful, the Credit Review Office will, on application from the borrower, carry out an independent and impartial review of a bank's decision to refuse or reduce credit.

A number of Ministers have made the point that the Credit Review Office is extremely important in the context of the times in which we live. Where people or small or large businesses cannot obtain funds or have been refused them, it is important that an immediate application be made to the Credit Review Office which can provide an independent assessment as to the merits or otherwise of a case. I would strongly advise anyone who has unsuccessfully appealed through a bank's own internal appeals process to seek a review by the Credit Review Office. It is only when we see independent reviews of refusals of credit that we can assess whether the banks are refusing credit to viable businesses.

I will bring to the attention of the Minister for Finance the constructive suggestion put forward by Deputy Ó Caoláin in order to discover whether we might respond to it in kind.

Community Employment Schemes

Deputy John O'Mahony: I thank the Ceann Comhairle for allowing me to raise this matter. The recently announced jobs initiative is extremely welcome, particularly for anyone who obtains an internship or a place on a scheme. However, everyone agrees that more must be done. In that context, I wish to make a suggestion in respect of something that would be cost-effective and that would make a massive difference to the lives of thousands of people.

Community welfare officers have informed me that they are continually being contacted by community groups and unemployed individuals in respect of community employment, CE, schemes. I have worked with community groups and sporting clubs all my life and I have seen

examples of the great work these schemes can do. On Monday last, I visited the Curam family centre in Claremorris and I was informed by those who run it that they were not be able to continue to provide services were it not for the existence of CE schemes.

The issue that always arises is the cost associated with running a scheme and everyone is aware of the economic climate which obtains at present. The reality is that CE schemes are cost-effective because the overhead costs would not increase significantly. Effectively, people who want to work on these schemes would only be paid €20 more than they would receive in the form of jobseeker's allowance. Everyone benefits from CE schemes on foot of the invaluable work done by those who avail of them. People who are unemployed and who become involved in a scheme suddenly obtain a sense of purpose and are given a reason to get up out of bed each day.

In addition to expanding the number of places available on CE schemes, I strongly suggest that the criteria relating to applicants should be changed and made more flexible. At present, these schemes are confined to those who are over 25 years of age. However, those who are under 25 form the largest cohort of those who are unemployed. In Mayo, there are 13,500 people who are unemployed. Some 2,500 of these — including 940 females — are under 25 years of age. Any expansion of the CE schemes should allow under 25s to be eligible to access them. Even if a time limit of two or three years were applied to a new scheme, this would at least give people the opportunity to work until the economy begins to recover.

CE schemes were very successful during the economic downturn in the 1980s. At that stage there were up to 40,000 people on such schemes. Currently, there are only 22,500 on the schemes. There is an urgent need to increase the numbers on CE schemes in order to offset, to some degree, the problems caused by the economic crisis. Seven or eight years ago there were ample places available on schemes because it was not possible to find sufficient numbers of people to take them up. What is happening at present is similar to giving someone an umbrella when the sun is shining and then taking it away when it starts to rain heavily.

I accept that there is a national problem with unemployment. However, the unemployment rate my constituency in Mayo has always been particularly high. There are unemployment blackspots in east Mayo. In the 1980s north Mayo, along with places such as Tallaght and Limerick city, was designated as one of the 12 worst unemployment blackspots in the country. In 2006 Ballina had the highest rate, 15.8%, of unemployment in the country when the national level was 4.4%. That was in the middle of the Celtic tiger period.

I appeal to the Minister and to the Government to examine the benefits of expanding the CE schemes and of making the criteria that apply more flexible.

Deputy Brian Hayes: I am taking this matter on behalf of the Minister for Social Protection, Deputy Burton, and I thank Deputy O'Mahony for raising it. This is an issue of great concern to many Members on foot of the useful work undertaken across the country by community employment projects.

Responsibility for community employment and a number of similar initiatives was recently transferred to the Department of Social Protection. In the coming months the Minister hopes to be in a position to consider afresh a number of aspects of the operation of these initiatives. Against the background of scarce resources, she wants to see where best outcomes — at best value — can be achieved in providing activation opportunities for people who are out of work. Community employment cannot be excluded from any consideration of this nature.

It is important to emphasise and remind Deputies that the purpose of community employment primarily involves developing the skills base and work readiness of individuals in order that they can re-enter the workforce after periods of unemployment or other absences. Community employment is an active labour market programme designed to provide opportunities

[Deputy Brian Hayes.]

to engage in useful work and training within communities on a fixed term basis with a view to progression to the labour market in the short term. The criteria for participating in community employment are based on individual circumstances related to age, length of time unemployed or absent from the labour market and in receipt of qualifying social welfare payments. The programme also focuses on those with more limited access to jobs and training opportunities. This latter client group will include lone parents, persons with disabilities, stabilised substance abusers, ex-prisoners, travellers and long-term unemployed persons.

Duration on the programme is limited to facilitate the progression of participants to the open labour market. This also allows for the movement of participants through the programme and opens opportunities for new participants to avail of the benefits offered. The number of places available was increased to 23,300 in 2010. The budgetary provision for 2011 will allow FÁS to continue the programme at the same level as 2010. In delivering these places, FÁS will continue to operate flexibly in the management of this allocation in order to maximise progression to the labour market, while at the same time facilitating the support of community services.

In conclusion, the Government will continue to support the positive role of FÁS employment schemes in meeting the needs of long-term unemployed person. The Minister is also conscious of the meaningful role community employment projects play in supporting services for and in communities the length and breadth of Ireland.

While there are no immediate plans to alter the current criteria for participants in community employment or to add to the number of places available, the Minister has asked me to say that she will be taking stock of its operation with a view to making improvements if these are found to be necessary.

Bloomsday Public Holiday

Deputy Joe Costello: Today is Bloomsday, 16 June. It is the annual occasion when Ireland celebrates its giant of Irish literature, James Joyce. The celebration was begun in the 1950s by a number of Joycean scholars and enthusiasts to commemorate the famous day in 1904 when Leopold Bloom, the hero of *Ulysses*, Joyce's most famous work, spent the entire day walking around the streets of Dublin. It is also the day when Joyce first walked out with Nora Barnacle, the love of his life and the woman with whom he went into exile and married. In 1924, some 20 years after that occasion, Joyce wrote, "Today is 16 June 1924, 20 years after. Will anyone remember this date?". Of course, they did.

The celebration of this iconic day now takes place in more than 16 countries annually. It starts with a Joycean breakfast of "inner organs of beasts and fowls, including grilled mutton kidneys with a fine tang of faintly scented urine". There are readings and productions of Joyce's works and tours throughout the city of Dublin. Tonight, for example, I will be attending a Joycean music and song festival in the Teachers' Club in Parnell Square. Deputy Ferris tells me there is a day-long festival in Bray, which she will be going to after this. I am sure every Deputy, particularly in Dublin, will have various events where there are celebrations of Joyce's works.

Yesterday in the Mansion House, I attended the presentation of the most valuable literary prize in the world. The IMPAC award was presented to Colm McCann. This is done largely through the good offices of Dublin City Council, which is very supportive of literature and the arts. Last year, Dublin was designated a UNESCO city of literature, which is a permanent designation. Dublin is home to many great writers, as is the entire country. Ireland has a rich tradition of writing.

The extraordinary literary tradition of the country should be marked by an annual public holiday around which a major national and international festival of literature could be

developed. We have only nine public holidays, the least number in Europe apart from England and Wales, which have eight. Germany, which is regarded as the work horse of Europe, has 14 public holidays for its citizens, yet it can produce a powerful economy. Northern Ireland has ten, including the rather questionable one on 12 July, which is hardly an inclusive public holiday for all citizens. A public holiday to celebrate our literary heritage could, in time, be extended to Northern Ireland, which has a rich literary tradition. This could become an all-island festival of literature and culture.

The idea of a public holiday on Bloomsday was first proposed by Joycean scholars in 2004, the centenary of Bloomsday. It is even more appropriate at this time. On 1 January 2012, the copyright restrictions on Joyce's works will expire and they will be readily accessible both to scholars and enthusiasts at no cost. There will be no charge on publications, performances, readings or adaptations of any of Joyce's works. That is a problem at present. This is an appropriate time to look at the breadth and scale of such an international festival and public holiday.

This would be an enormous attraction for scholars and students but also for ordinary tourists. Joyce has become a national brand. A literary festival of this nature would be of significant commercial value as well as fulfilling its main purpose of commemorating and celebrating our rich literary heritage and being an inspiration to future generations of writers.

Deputy Brian Hayes: I thank Deputy Costello for raising this matter. He referred to Joyce as a national brand. I suspect that Deputy Costello may one day be regarded as a national brand himself.

Deputy Joe Costello: The Minister is too kind.

Deputy Brian Hayes: I also wish all my colleagues a happy Bloomsday. I was able to take part in a Joycean event earlier today in St. Stephen's Green. It was fantastic to see so many people there. The green is looking at its best at this time of year. It is under the control of the Office of Public Works. Deputy Costello is absolutely right. This is a fantastic occasion to celebrate Irish literature throughout the world and particularly in Dublin.

I thank Deputy Costello for raising this matter. I acknowledge the international importance and recognition afforded to great Irish writers and, indeed, James Joyce is among these. Bloomsday is well recognised beyond these shores and internationally with the highlight of the Joycean year, of course, being the Bloomsday festival. The 2011 festival incorporates a large programme of events that commenced on 4 June leading up to today's celebrations.

Bloomsday has become a day on which fans of James Joyce celebrate the man and his unique skill as a wordsmith. The day has grown into a significant event for our capital city. Visitors from all over the world travel to Dublin to participate in the Bloomsday festival, to walk the streets like Leopold Bloom and Stephen Dedalus.

This year, Bloomsday is a much more significant international event, with Dublin's designation as UNESCO City of Literature. Dublin is one of just four cities, worldwide, that has been, deservedly, awarded this designation. Dublin as a city of literature means offering a new, creative tourism that is all about encouraging visitors to experience the Irish literary life directly so that they can have an authentic engagement in the real cultural life of our city. For a short while many feel that they too are part and parcel of Dublin life.

On the particular issue of the designation of 16 June as a national holiday, the legislation which provides for public holidays is the Organisation of Working Time Act 1997. This Act provides that certain days may be prescribed as public holidays. At present, there are nine public holidays, including the first Monday in June, in addition to statutory annual leave entitlements. Any proposal for the provision of an additional public holiday would require careful

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consideration. Not least we would need to consider the implications and impact of any such designation on employment and for the economy at large, in particular the extra costs it would impose on employers.

Were Bloomsday to be designated a public holiday — I stress no such designation is at this moment being contemplated — it would be necessary to undertake detailed and substantial consideration of issues arising, including wide-ranging consultations with relevant stakeholders. Among the matters to be considered would be the impact of any such increase in public holidays on the competitiveness of firms, in particular small and medium enterprises with smaller workforces, and in terms of output and the impact on employment. Proposals of this kind cannot be considered without regard to the wider interests of workers and the enterprises in which they are employed.

The proposal being made by the Deputy, involving a new and additionally designated national holiday, on an annual recurrent basis, would need serious examination and consideration on a wide number of fronts. For example, the selection of a particular day to be a public holiday would also need to be considered in the light of tradition, custom and practice in designating such days. This can be seen with St. Patrick's Day, which is of significant importance from both a national and international perspective. Any newly-designated national holiday would have to be measured against the substantial national and international status achieved by our current designated national holidays. In the current challenging economic circumstances, the matter of designation of an additional national holiday is not among the Government's priorities. I thank the Deputy for raising the matter. I expect it would probably require the agreement of the troika before moving on the issue.

Deputy Joe Costello: The Minister of State will need to ensure it is on the agenda for the next meeting.

Deputy Brian Hayes: Indeed.

Accident and Emergency Services

Deputy Richard Boyd Barrett: Of course Joyce was a socialist who left the country because he felt those who were going to inherit the Irish revolution would replace one form of subservience with another. The IMF-EU deal seems to vindicate many of Joyce's thoughts on the matter.

Deputy Brian Hayes: Does the Deputy want to follow his lead?

Deputy Richard Boyd Barrett: Many people are already being forced into exile because of the deal and let us hope that more are not forced out if we continue along this disastrous path. One more victim of the austerity being forced on the country by the IMF and EU is our hospitals. In a shocking announcement yesterday, Loughlinstown hospital's 24-hour accident and emergency service is to be abolished and replaced with a daytime minor injuries service and surgical procedures are to be limited at the hospital. This is an appalling move, which will have a very damaging effect. The hospital serves a catchment area of approximately 160,000 people. It is the only 24-hour accident and emergency service between St Vincent's Hospital and Wexford General Hospital. It treated 21,000 accident and emergency patients last year so it is clearly a service that is being used.

A number of years ago the 24-hour accident and emergency service in St. Michael's Hospital in Dún Laoghaire was reduced to an 8 a.m. to 8 p.m. service. This is a retrograde, disgraceful move which is inexplicable given the commitments the Minister, Deputy Reilly, gave to me in response to a question on the future of Loughlinstown hospital a few weeks ago when he

stated: “The HSE recognises that it is of paramount importance that there is no impact on services to patients as a result of the recent redeployment of staff from St. Columcille’s Hospital, Loughlinstown and community services”. That was in the context of me asking why staff were being moved from there against their will to work on the other side of the city.

We now discover that his assurances were empty and that those redeployments were part of a deliberate run-down of services, which pre-empt the review the Minister promised after which the Government would consider the services that might be impacted. However, we now discover that the 24-hour accident and emergency service in Loughlinstown is to be shut down, causing extreme hardship and anxiety for many people.

All of these people will now be forced to go to St. Vincent’s Hospital or to Wexford General Hospital. That means 21,000 additional people into an already over-stretched service in St. Vincent’s. This is a disastrous move, the background to which is the €1 billion reduction in health service funding, which the Government has refused to reverse as a result of the IMF-EU deal. I appeal to the Government to reverse this move and retain the 24-hour accident and emergency service which is desperately needed in the area. If that does not happen I would anticipate rage in the County Wicklow as well as in the Loughlinstown, Ballybrack and Dún Laoghaire areas. We are already planning meetings and protests about the issue. I appeal to the Minister of State to save me the trouble of having to have to organise demonstrations and the anxiety of the people in the area by ensuring this accident and emergency service remains open.

Deputy Anne Ferris: I thank the Minister of State for taking the debate tonight, he obviously drew the short straw this evening.

Deputy Brian Hayes: The graveyard shift.

Deputy Anne Ferris: I am very happy to share the time with Deputy Boyd Barrett. I raised the matter this morning under Standing Order 32. I am sorry there are not more Deputies from the Wicklow and Dún Laoghaire constituencies to lend their support.

I too was shocked to learn of the HSE’s decision to downgrade the accident and emergency services in St. Columcille’s Hospital. This news was delivered in the form of an e-mail sent to public representatives and the media without any consultation with any public representatives. The decision makes no sense. As it stands the hospital’s accident and emergency service serves approximately 21,000 cases every year. This proposal would mean that all those people would need to transfer from St. Columcille’s all the way into St. Vincent’s Hospital, which will cost people their lives and is a further example of the mismanagement of the health service by the Fianna Fáil-led Government. While we have inherited this legacy, I call on the Minister for Health to intervene with the HSE to reverse this decision.

Thousands of people from County Wicklow rely on the accident and emergency facilities in St. Columcille’s Hospital every year. If they were forced to travel from somewhere like Carnew, Rathdrum or Aughrim — never mind Bray where I live — into St. Vincent’s Hospital their lives will be put at risk. God forbid, if I ever have an accident in time to come, I hope it takes place here in Leinster House because I would be nearer to St. Vincent’s Hospital than I would be at home in Bray.

The Labour Party has campaigned for years for the service at St. Columcille’s Hospital to be saved because it was under threat in recent years. We ran a “save our services” campaign, which was very successful in retaining the accident and emergency unit in Loughlinstown. I raised the issue at a meeting with the Tánaiste this morning and he informed me that he only learned about it yesterday and has already met the Minister for Health to express his outrage with the HSE. I know he has written to the CEO of the HSE today demanding a meeting.

[Deputy Anne Ferris.]

This issue is too important to be turned into a political football and I call on all public representatives living in County Wicklow, Dún Laoghaire and those parts of County Wexford that will be affected by the closure to stand together in a joint effort to reverse this unnecessary and illogical decision. The Minister of State told Deputy Costello the matter of designating an additional national holiday for Bloomsday was not among the Government's priorities. Let us hope Loughlinstown hospital is.

Deputy Brian Hayes: I thank Deputies Boyd Barrett and Ferris for raising this issue, which is very important to the people of Dún Laoghaire, Wicklow and Wexford. Its importance is recognised throughout the House.

St. Columcille's Hospital, Loughlinstown, is an important, integral part of the joint acute hospital service operated between St. Vincent's University Hospital, St. Michael's Hospital and St. Columcille's Hospital. The three sites provide a very wide range of acute services to the local population in a collaborative arrangement. There is no need to cease any of the current services at St. Columcille's Hospital. However, the configuration of services is constantly reviewed and, from time to time, rearranged to improve access and quality of service and minimise risk to patients. For instance, in regard to accident and emergency services, a trauma bypass arrangement was introduced in recent years that allows for patients to be brought directly to St. Vincent's University Hospital to ensure the most appropriate treatment. This programme of realignment of services has received recent impetus from HIQA in regard to the need to implement the recommendations from the Ennis and Mallow reports. The conclusions of these reports were a very important contribution to driving further improvement in the quality and safety of acute hospital services. The reports deal, in particular, with the types of services that can safely be provided in smaller hospitals, and with the structures required for good governance and accountability. The HSE must ensure that this happens and the Minister will be monitoring the situation closely in conjunction with HIQA.

The Minister is strongly committed to developing the role of smaller hospitals so they can play a key part in the services provided to local communities. Local hospitals can and should be a vibrant element of local health services, providing treatment and care at the appropriate level of complexity to the patients in their area. The restructuring of services will also be closely aligned with the programme of care set out in the HSE's Report of the National Acute Medicine Programme, which recognises the essential role of large and small hospitals in the delivery of acute services. The HSE is working to make progress on these initiatives in a collaborative framework in consultation with all stakeholders.

The Minister has made it clear that he expects to be briefed by the HSE where there are any proposals to withdraw services from individual hospitals. He has also made it clear that patient safety must be the overriding priority and wants patients to be treated at the lowest level of complexity that is safe, timely, efficient and as near to home as possible. These are the factors which will inform our future decisions on the provision of acute hospital services.

The Minister has clearly assured the public that, even in the difficult economic situation we find ourselves in, no hospitals will close. However, ongoing reform of the system may result in some changes in how care is delivered across our health system.

The Dáil adjourned at 6.55 p.m. until 2.30 p.m. on Tuesday, 21 June 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 19, inclusive, answered orally.

Community Development

20. **Deputy Joan Collins** asked the Minister for the Environment, Community and Local Government the reason some community organisations which are currently funded by the funding scheme to support national organisations in the community and voluntary sector were informed that they would not be recommended for further funding under this scheme; the number of organisations that will be affected and the assessment criteria used to determine whether or not organisations will receive this funding; and if he will make a statement on the matter. [15591/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Scheme to Support National Organisations in the Community and Voluntary Sector commenced in 2008. This scheme amalgamated and replaced schemes previously operating under the White Paper on Supporting Voluntary Activity. The Scheme aimed to provide multi-annual funding to national organisations towards core costs associated with the provision of services. In total, funding of €16 million was allocated to 64 organisations over the three year period 2008-2010. The three-year funding contracts concluded at end 2010.

A comprehensive review of the scheme was carried out by the Department of Community, Equality and Gaeltacht Affairs in 2010. Terms of reference for the review of the scheme included an examination of the extent to which the objectives, rationale and approach of the Scheme remained valid and to make recommendations regarding the future role and scope of the Scheme.

A new Funding Scheme was advertised in December 2010 which set down new assessment criteria for applications received under the Scheme. 149 applications were received and 63 organisations were allocated funding under the Scheme of which 46 had been funded under the previous Scheme.

The criteria used to assess applications under the Scheme were as follows:

- Extent to which proposal focuses on disadvantage;
- Deliverables and impact of the Funding;

[Deputy Phil Hogan.]

- Level of added value within sector;
- Viability, value for money and governance;
- Level of co-operation/integration/consolidation with similar/allied organisations.

Local Authority Housing

21. **Deputy Dessie Ellis** asked the Minister for the Environment, Community and Local Government the date on which building work on the new housing in Cliona Park, Moyross, County Limerick, will commence. [15635/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): On 29 April, 2011, my Department approved the proposal by the Limerick Regeneration Agencies to accept the most economically advantageous tender, as recommended in the tender report for the Cliona Park housing scheme. Following this, and in line with standard procurement procedures, the Regeneration Agencies issued a Letter of Intent to the preferred bidder and notified the other tenderers of the outcome of the assessment process. In accordance with national procurement rules, there is a requirement for a standstill period of 14 days minimum, whereby all parties have time to assess the outcome of the process.

Unfortunately, it was not possible for the preferred bidder to comply with the requirements set out in the Letter of Intent by the specified date. Accordingly, the Limerick Regeneration Agencies subsequently issued a Letter of Intent to the next highest ranking bidder, after which a further standstill period commenced. The Cliona Park tender is currently within this second standstill period. If there are no issues arising within this period, the Regeneration Agencies intend to issue a formal letter of acceptance of the tender and will enter into the contract for the construction of the project. It is expected that construction works will commence within a month from the date of issuing the letter of acceptance.

Local Authority Funding

22. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government his plans to reform the system of business rates and the supports he will give businesses to deal with the €85 million of uncollected rates. [14719/11]

24. **Deputy Niall Collins** asked the Minister for the Environment, Community and Local Government his plans to reform the system for levying and collecting commercial rates; and if he will make a statement on the matter. [15593/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 22 and 24 together.

Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority. As with all local charges, the invoicing and collection of due amounts is a matter for the local authority concerned to manage in the light of prevailing local circumstances and in accordance with normal accountancy procedures.

I recognise that these are difficult economic times for many businesses and I will continue to keep all matters relating to rates under regular consideration in my Department. However, I have no immediate plans to conduct a review of the rating system generally.

Local authorities play a central role in supporting economic development and enterprise at local level. They do this in a number of ways including through their capital and current budgets, economic planning and development and the provision of goods and services as well as community infrastructure.

Business Support Units or similar arrangements have been put in place in all county and city councils. These Units provide a dedicated one-stop-shop approach for businesses in areas such as planning, water services and roads. In addition, the local government led County/City Development Boards are engaged in economic development and the promotion of enterprise in their areas.

The Programme for Government provides for an expanded role for local authorities in local enterprise and community development. This in turn will assist in maximising the impact of investment to produce jobs at local level.

Unfinished Housing Developments

23. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government the position regarding the high level expert group on unfinished housing developments; and if he will give any further proposals that have come from their work. [15648/11]

27. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government the level of uptake there has been for the €5 million for works on unfinished housing developments; and if he will provide details of works which have been carried out. [15649/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): I propose to take Questions Nos. 23 and 27 together.

Last week I published the final report on Resolving Ireland's Unfinished Housing Developments — Report of the Advisory Group on Unfinished Housing Developments, together with my Department's response to the recommendations, Resolving Unfinished Housing Developments — Response to the Advisory Group Report on Unfinished Housing Developments. Both reports are available on my Department's website — *www.environ.ie*.

The main recommendations of the Advisory Group were in respect of:

- driving a more co-ordinated and partnership approach between stakeholders;
- tackling public safety as an immediate priority;
- strengthening the legislative and policy framework to incentivise real engagement by developers, site owners and funders in working with local authorities and residents in resolving unfinished housing developments; and
- building confidence in the housing sector.

I have outlined a range of actions to address these objectives, including the urgent resolution of public safety and other critical issues seriously impacting on the living conditions and quality of life for residents of unfinished developments; the development of formal liaison protocols between the various stakeholders — developers, financial institutions, residents, local authorities, approved housing bodies and my Department — to facilitate the sharing of information; and the prioritisation by local authorities of a number of unfinished developments to act as lead projects to demonstrate what can be achieved, building on the best practice Guidance Manual on Managing and Resolving Unfinished Housing Developments, which will be published later this month.

[Deputy Willie Penrose.]

I have made the first allocations, totalling some €1.5 million, to ten local authorities from the €5 million funding allocation made available to address immediate safety issues and works to improve the living conditions of existing residents on unfinished estates. The types of works that have been approved to date include the fencing off of unsecured and hazardous areas, capping of pipes, installation of street lighting, and other works to secure sites. I will be making further allocations as applications are received from local authorities and assessed by my Department.

I am establishing a National Co-ordination Committee to oversee implementation of the Advisory Group's Report and the Government's response. The Committee will include key stakeholders including my Department, local authorities, developers, the Housing and Sustainable Communities Agency, financial institutions, NAMA and residents. The first meeting of the Committee will be held shortly.

Question No. 24 answered with Question No. 22.

Local Authority Housing

25. **Deputy Michael Colreavy** asked the Minister for the Environment, Community and Local Government his plans to expand the criteria for assessment of housing need including income thresholds, in order to accommodate on housing lists those who have voluntarily surrendered their homes or have had their homes repossessed. [15647/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): The Housing (Miscellaneous Provisions) Act, 2009 provides for a new process of housing needs assessment for applicants for social housing support and empowers the Minister to make regulations setting out the criteria for determining the eligibility for such support. These criteria include, but are not limited to, income levels and the availability of alternative accommodation. Amended regulations are currently being prepared in my Department and it is proposed to include the unsustainability of a household's current accommodation under the terms of the Code of Conduct for Mortgage Arrears 2011 as being amongst the criteria to be taken into consideration in assessing need.

The same income thresholds will be in place for households who have voluntarily surrendered their homes or had their homes repossessed as all others being assessed for social housing support.

Fire Stations

26. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government his proposals to ensure that local authorities are resourced to provide fire services. [15632/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs and the provision of premises is a statutory function of individual fire authorities under section 10 of the Fire Services Act 1981. Fire authorities provide some €240 million annually to run fire services in Ireland. My Department supports fire authorities through the setting of general policy and guidance, and the provision of capital funding, including the recoupment (within the overall funding available) of costs incurred by fire authorities in relation to the approved purchase of fire appliances and equipment.

The fire service capital programme provides for the replacement and renewal of existing local authority fire service infrastructure and the maintenance of the vehicle fleet so that fire service buildings and vehicles/ equipment are fit for purpose. Following significant investment in fire service infrastructure, fleet and equipment over the last decade, Ireland's fire service infrastructure is now acknowledged to be first rate.

The national blueprint and programme for further developing and improving the efficiency and effectiveness of Fire Services is set out in the recently agreed Irish Fire Services National Development Framework 2010-2015. The Framework sets out policies and key actions in the areas of Fire Services Role in Society; National Processes and Standards; Staff Learning and Development; Quality Assurance Systems and Reporting Performance; and Service Infrastructure and Legislative Support.

Question No. 27 answered with Question No. 23.

Local Authority Housing

28. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the unequal treatment of single persons on the social housing lists resulting in parents who have joint custody of their children not getting recognition of the fact that they require housing in larger than single bed accommodation; and the measures being taken to rectify this situation. [15643/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): I refer to the reply to Question No. 390 of 15 June 2011.

Radon Gas

29. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government the percentage uptake in residents who wish to make their homes radon free. [15641/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The extent of the radon problem in Ireland has been assessed by the Radiological Protection Institute of Ireland (RPII) over a number of years. Between 1992 and 1999, the RPII carried out a comprehensive National Radon Survey to measure radon concentrations in Irish homes. The principal objective was to assess the scale of the radon problem and, in particular, identify areas at higher risk of radon contamination above the National Reference Level of 200 becquerels per metre cubed (Bq/m³).

Through the RPII's radon advice and awareness work, my Department supports efforts to raise public awareness of the risks posed by radon in the home. Householders, particularly those in known high radon areas, have been strongly encouraged by the RPII to have their homes tested for radon and to undertake remediation works where necessary.

Some 43,000 homes have now been measured for radon by the RPII and the results of these tests have been compiled into a central database, which has greatly aided knowledge and understanding as to the extent of Ireland's radon problem. The table below gives summary results of the radon measurements carried out in each county up to 31 December 2010.

The RPII is not directly involved in remediation and so does not have direct access to data on remediation of individual houses. However, on the basis of surveys undertaken by RPII and the uptake for its post remediation measurements, RPII estimates that approximately 20% of householders found to have high radon levels actually carry out remediation works on their houses. This level is in line with published findings from other countries. The limited data available to the RPII also suggest that householders with radon levels very much above the

[Deputy Phil Hogan.]

reference level are more likely to remediate than householders with moderately high radon levels.

County	Number of houses measured	Number of houses in categories of radon concentration			Highest measured concentration (Bq/m ³)	Percentage of homes >200 Bq/m ³
		0-199 Bq/m ³	200-800 Bq/m ³	>800 Bq/m ³		
Carlow	1,010	830	160	8	1,700	17%
Cavan	415	400	10	0	800	2.5%
Clare	3,455	3,050	340	63	3,500	12%
Cork	4,865	4,305	520	38	4,500	12%
Donegal	1,270	1,210	60	0	600	4.7%
Dublin	2,960	2,775	180	2	1,400	6.3%
Galway	5,260	4,145	985	122	3,400	21%
Kerry	3,415	2,905	400	108	49,000	15%
Kildare	1,120	1,070	45	3	1,100	4.2%
Kilkenny	1,060	925	130	7	2,400	13%
Laois	520	500	20	0	600	3.8%
Leitrim	345	325	20	1	1,600	6.1%
Limerick	1,185	1,100	80	3	1,900	7.0%
Longford	290	270	20	1	900	7.2%
Louth	685	600	80	0	700	12%
Mayo	3,640	3,050	545	45	6,200	16%
Meath	865	795	65	2	900	7.7%
Monaghan	270	255	15	0	800	5.6%
Offaly	735	720	10	0	500	14%
Roscommon	620	560	60	2	1,400	10%
Sligo	1,990	1,515	395	76	5,500	24%
Tipperary	1,765	1,570	175	17	2,800	11%
Waterford	1,250	980	230	36	9,700	21%
Wexford	1,495	1,270	205	19	2,900	15%
Westmeath	630	575	50	0	700	7.9%
Wicklow	1,835	1,530	280	22	16,000	16%
Total	42,950	37,230	5,080	575		13%

Local Authority Housing

30. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government the position regarding local authority moves to remove housing applicants on the rental accommodation scheme from the social housing lists; and if he will make a statement on the matter. [15603/11]

34. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the reason, in view of the fact that the rental accommodation scheme was envis-

aged as a temporary measure, it is current practice to remove persons from the housing list when they are placed on RAS. [15646/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): I propose to take Questions Nos. 30 and 34 together.

The Rental Accommodation Scheme (RAS) is not considered a temporary measure. Its core objectives are to reform the approach towards providing accommodation within the private rented sector for long-term dependents on rent supplement and to enhance the response of housing authorities to meeting long-term housing need. Households on RAS have, as far as possible, been given the benefits associated with being local authority tenants.

Section 19 of the Housing Miscellaneous Provisions Act 2009 Act was commenced on 1 April 2011 and gives formal legislative recognition to rental accommodation availability agreements as a form of social housing support. As a consequence, RAS tenants do not fall to be assessed under the new eligibility requirements set for new applicants for social housing. This is a significant benefit for many RAS tenants who may have taken up employment following their move to RAS and might now otherwise exceed the income eligibility levels for new applicants for social housing support.

In recognition that RAS is a relatively new form of social housing support, and that some RAS tenants may have had expectations about access to local authority rented accommodation, guidance issued by my Department recommended that there should be a special pathway for RAS tenants to other forms of social housing support. This pathway should be included in Allocation Schemes that are adopted by elected representatives of housing authorities. It is my understanding that many authorities have included a provision of this type in their Allocation Schemes.

Departmental Expenditure

31. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government the total amount he is spending on renting private offices; the locations of each of these offices; and if he will make a statement on the matter. [15628/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): In general, premises and sites occupied by my Department are rented or leased by the OPW, rather than directly by my Department. The location and costs of premises and sites currently rented directly by my Department are set out in a table.

	Estimated Full Year Rental Cost For 2011
Office space — Met Éireann, Dublin Airport	€73,673.95
Office space — Met Éireann, Shannon Airport	€150,171.55
Land — Met Éireann, Valentia	€500

My Department also shares with other Government Departments the rent and ancillary costs of a premises occupied by Ireland's Permanent Representation to the EU in Brussels. My Department's share of rental costs associated with this office is set by the Department of Foreign Affairs at €17,574 for 2011.

Private Rented Accommodation

32. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government his plans to ensure that landlords register their properties and tenancies with the Private Residential Tenancies Board. [15634/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): I have no function in the operational matters of the Private Residential Tenancies Board (PRTB), which is an independent statutory body established under the Residential Tenancies Act 2004.

However, I note that the PRTB enforces tenancy registration requirements in accordance with the provisions of the Residential Tenancies Act 2004, specifically sections 144 and 145, which provide for the issuing of notices to landlords and/or occupiers of the dwellings in question and the prosecution of offenders for non-compliance with the registration requirement. Up to December 2010, the Board has issued over 14,000 enforcement notices to landlords and/or occupiers of dwellings.

Waste Disposal

33. **Deputy Seán Crowe** asked the Minister for the Environment, Community and Local Government the date on which he will conclude his consideration of the issues that are preventing him from publishing the Hennessy report. [15626/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The former Minister for the Environment, Heritage and Local Government, Mr. John Gormley, appointed Mr. John Hennessy, SC, as an authorised person under section 224 of the Local Government Act 2001 in February 2010, to examine various financial matters arising in relation to the Waste to Energy facility proposed by Dublin City Council, on behalf of the Dublin local authorities, for Poolbeg in Dublin.

Mr. Hennessy's report was received in October 2010. Since becoming Minister I have been considering the report in consultation with the Attorney General, including issues in relation to publication of the report and matters regarding commercial confidentiality. Having consulted with my colleagues in Government in relation to the report, I expect to be in a position to outline the outcome of these consultations shortly.

Question No. 34 answered with Question No. 30.

Waste Management

35. **Deputy Liam Twomey** asked the Minister for the Environment, Community and Local Government his plans to make grants available for upgrading to householders whose septic tanks fail to pass inspections by local authorities; and if he will make a statement on the matter. [15405/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I refer to the reply to Question No. 145 of 8 June 2011 which outlines the position in this matter.

Local Government Reform

36. **Deputy David Stanton** asked the Minister for the Environment, Community and Local Government the progress made to date in progressing the reforming local government goals in the programme for Government; and if he will make a statement on the matter. [15606/11]

39. **Deputy David Stanton** asked the Minister for the Environment, Community and Local Government his plans to reform local government; and if he will make a statement on the matter. [15605/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I propose to take Questions Nos. 36 and 39 together.

A range of work relevant to local government reform is already under way. I have recently established an independent Implementation Group to progress relevant recommendations of the Local Government Efficiency Review in areas such as shared services, procurement, value for money and audit. I have asked the Group to build on the extensive efficiencies that have been achieved by local authorities in the past two years or so where savings of over €300 million have been achieved and to focus on key recommendations that will remove costs and yield earliest financial savings for the benefit of the sector and the economy. The Group will report to me at regular intervals and its first report is to be provided within six months.

The Programme for Government also reflects the need, in the context of the State's overall financial position, to put the funding of locally delivered services on a sound financial footing, improve accountability and better align the cost of providing services with the demand for such services. In this regard I have already indicated my intention to introduce a household charge in 2012 in line with the requirements of the EU/IMF Programme of Financial Support for Ireland.

Options for the greater alignment of local development arrangements with the local government system, in accordance with the Programme for Government, are also under consideration in my Department. I am, in addition, considering wider proposals to renew and develop the local government system. Key objectives in this regard include devolution of greater decision-making to local level, strengthening the powers and functions of local authorities, enhancing the development and leadership role of local government, and strengthening its structures and funding arrangements. Relevant proposals in recent reports including the Special Group on Public Service Numbers and Expenditure Programmes and the Local Government Efficiency Review will be taken into account in the development of policy in this area.

I propose to publish a policy statement on local government that will outline Government policy in this area in line with the Programme for Government. In this regard, I intend to bring proposals to Government in the autumn for an action programme to develop and enhance the local government system, improve its capacity to meet current and future challenges and make a substantial contribution to the national recovery effort.

Social and Affordable Housing

37. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government his plans to introduce measures to ringfence money made from the sale of local authority housing in order that it is pooled back into the development, maintenance and improvement of social housing. [15645/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): In December 2006 my Department notified local authorities that, with effect from 1 January 2007, they could exercise direct control over their internal capital receipts from the sale of local authority dwellings with the general guidance that the proceeds be used primarily for improvement works to their housing stock.

Private Rented Accommodation

38. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Community and Local Government his plans to deal with anti-social behaviour by tenants in private residences. [15633/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): While action to deal with anti-social behaviour is primarily a matter for An Garda Síochána, in the case of private rented dwellings landlords are responsible for enforcing the obligations that apply to their tenants under the Residential Tenancies Act 2004. The Act, in this regard, prohibits a tenant in a private residential tenancy from engaging in anti-social behaviour in, or in the vicinity of, a dwelling to which the Act applies and allows a landlord to terminate any tenancy where the tenant is engaging in or allowing others to engage in such behaviour, subject to a notice period of only 7 days in the case of serious anti-social behaviour or 28 days in the case of less serious but persistent behaviour.

The Residential Tenancies Act also provides that a third party directly and adversely affected by anti-social behaviour may, subject to certain conditions, refer a complaint to the Private Residential Tenancies Board, against a landlord who has failed to enforce tenant obligations. A specific condition is that the third party complainant must have taken reasonable steps to resolve the matter by communicating or attempting to communicate with the parties to the tenancy concerned.

Question No. 39 answered with Question No. 36.

Local Authority Housing

40. **Deputy Sandra McLellan** asked the Minister for the Environment, Community and Local Government his plans to reverse the current tenant purchase scheme criteria. [15644/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): I have no plans to change the current tenant purchase scheme criteria. I refer to the reply to Question No. 239 of 24 May 2011 which sets out the current position in relation to the tenant purchase schemes.

Community Development

41. **Deputy Denis Naughten** asked the Minister for the Environment, Community and Local Government the steps he is taking to address problems with Leader funds being allocated to the food business; and if he will make a statement on the matter. [15484/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Rural Development Programme (RDP) 2007-2013 is divided into 4 Axes. Axis 1 deals with competitiveness of the agricultural sector; Axis 2 aims to improve the countryside and environment, and the objectives of Axis 3 are to support the diversification of the rural economy and improve the quality of life in rural areas. Axis 4 or the LEADER Axis provides support for the use of a “bottom up” approach to development which ensures that local people are involved in the decision making thereby facilitating sustainable development in a more inclusive way. In Ireland the LEADER approach is used to implement Axis 3 measures.

A significant number of projects funded under the previous LEADER+ programme (2000-2006) and under the Diversification and Business Creation measures of the current RDP involve support for enterprise initiatives that add value to agri-food products. Basic Agricultural products are listed in Annex 1 to the EC Treaty and are commonly called Annex 1

products. Under the main Rural Development Regulation 1698/2005 support/grant aid for adding value to Annex 1 products is facilitated under Axis 1 of the programme. Ireland was recently notified by the European Commission that support/grant aid for adding value to agri-food products is not eligible under Axis 3 but rather under Axis 1 as detailed in the regulation. As a result of this, grant aid under Axis 3 of the RDP for this type of activity is currently suspended.

A significant part of enterprise activity in rural areas focuses on food and food-related businesses and the continued provision of support for these businesses is critical as we look to ways to generate employment in rural Ireland. My Department is aware of the seriousness of this issue and is working with the Department of Agriculture, Fisheries and Food with a view to seeking a resolution.

Local Authority Housing

42. **Deputy Pádraig Mac Lochlainn** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the practice of Dublin City Council housing people in units which have not been properly refurbished, without furnishing or essential fittings; and the measures being taken to ensure turnaround times are not being manipulated by supplying applicants with such housing. [15642/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): Local authority dwellings are subject to the provisions of the Housing (Standards for Rented Houses) Regulations 2008, amended in 2009, which describe the furnishing and fitting required to be present in a rented house. Accommodation let by a local authority is exempt from the requirements for food preparation, storage and laundry purposes, as the tenant usually provides these goods, retaining ownership of them when they move to new accommodation. I am not aware of Dublin City Council following a practice that is contrary to these regulations.

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 capital allocation provided for regeneration in Ballymun, allocations totalling almost €28 million have been notified to Dublin City Council in respect of their social housing improvement programmes for 2011.

Waste Management

43. **Deputy Gerry Adams** asked the Minister for the Environment, Community and Local Government the date on which he will publish his new waste management policy; and if he will make a statement on the matter. [15627/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government commits to the development of a coherent national waste policy, adhering to the waste hierarchy, which will aim to minimise waste disposal in landfill and maximise recovery. I am prioritising this commitment, as I am anxious to provide early

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regulatory certainty, in the form of both policy and legislation, to ensure that the necessary actions and investments are progressed to achieve those aims.

During the Dáil Second Stage debate on the Environment (Miscellaneous Provisions) Bill on 14 April 2011, I outlined the guiding principles which will inform the waste policy development process. These principles will serve to ensure that future waste policy will be:

- designed to minimise the volumes of waste generated and to extract the maximum value from those wastes which do arise;
- founded on a firm, evidence-based understanding of the many scientific, economic and social issues which are inherent elements of the waste policy discourse; and
- designed to facilitate necessary investment in infrastructure, within an appropriately regulated waste market framework.

I look forward to engaging with parliamentary colleagues and the range of interests in the waste sector in the development of this policy framework. It is my intention to complete the policy development process by the end of this year.

Question No. 44 answered with Question No. 7.

Election Management System

45. **Deputy Billy Kelleher** asked the Minister for the Environment, Community and Local Government the reason he has rowed back on his promise to introduce a complete ban on corporate donations; and his commitment to take the necessary legal and constitutional steps in this regard. [15597/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): On 8 June 2011, I published the General Scheme of the Electoral (Amendment) (Political Funding) Bill 2011. In line with the Government's commitment significantly to reform political funding in Ireland, this Bill will implement commitments in the Programme for Government and recommendations made in the Moriarty Tribunal Report Into Payments to Politicians and Related Matters.

The Bill provides, inter alia, for a ban on the acceptance of donations over €200 from all sources, other than from individuals, by political parties and their accounting units, candidates, Oireachtas Members, Members of the European Parliament, local authority members and third parties, as defined in the Electoral Acts, unless the body has registered with the Standards in Public Office Commission and has furnished, in writing—

- the name and address of the person or persons responsible for the organisation, management or financial affairs of the body;
- a statement of the nature and purpose of the body;
- a list of the membership or shareholders of the body;
- a copy of its statement of accounts for that year, and;
- a copy of the annual report to its members;

and,

the donor has declared to the recipient that the donation has been authorised by a general meeting of the members of the body concerned.

Fianna Fáil, in introducing its Electoral (Amendment) (Political Donations) Bill 2011 in Private Members time in the Dáil on 10 May 2011, acknowledged legal advice it had received to the effect that an outright ban on corporate donations would be likely to be unconstitutional. The Government's approach also recognises this position and therefore provides for significant restrictions on corporate donations. This approach will achieve the objective of addressing the widespread concern that the large-scale corporate funding of politics is unhealthy for democracy. The General Scheme that I recently published also contains a number of other wide ranging and radical measures to reform political funding arrangements.

Departmental Reports

46. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government his plans to implement the recommendations of an *bord snip nua*. [15595/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Report of the Special Group on Public Service Numbers and Expenditure Programmes was published in July 2009 and, since then, my Department's expenditure provisions, as set out in the Revised Estimates for Public Services 2010 and 2011 published by the Minister for Finance, have been guided by the Report.

My Department, local authorities and related agencies are working to maximise outputs from the 2011 provisions through prioritisation, increased efficiency and lower procurement costs generally. Recommendations in the Report relating to my Department are reflected, *inter alia*, in savings in administrative costs arising from reductions in public service numbers and pay; the reduced Exchequer contribution to the Local Government Fund; review of the EPA; ongoing rationalisation of agencies in the housing and other areas; and more extensive use of leasing to ensure overall housing output is maintained at the highest level possible.

The Report of the Special Group will continue to be taken into account in the development of policy and the management of programmes by my Department, including in the contexts of the expenditure review processes now underway across Departments generally. Consistent with the approach of the Special Group, the Report of the Local Government Efficiency Review Group contains recommendations for efficiency and other savings to be attained in the local government sector in the short, medium and longer terms. A range of work is already underway or in planning arising from the Report and I am considering the revenue raising and other recommendations that require enabling legislation. I have recently established an Implementation Group to drive forward relevant recommendations of the Report in areas such as shared services, procurement, value for money and audit. I have asked the Group to focus on key recommendations that will remove costs and yield the earliest financial savings for the benefit of the sector and the economy.

Water Services

47. **Deputy Nicky McFadden** asked the Minister for the Environment, Community and Local Government the measures that can be taken to prevent water lost due to pipe bursts in local authority areas during severe weather. [15650/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Water conservation is a key element of my Department's Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library. A primary objective

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of the Programme is to reduce water loss in the distribution networks to an economic level and to address unacceptably high levels of unaccounted for water.

Some €168m was spent between 2003 and 2010 on water conservation since the launch of the national water conservation programme in 2002. This investment has largely been focussed on putting in place the water management systems to allow for active leakage control and better planning of mains rehabilitation. Most local authorities have now completed or are close to completing the initial phases of water conservation, and this provides the platform for intensive investment in mains rehabilitation. Consequently, the Water Services Investment Programme 2010-2012 allows for a significant acceleration in the level of investment in this area, providing for contracts with a total value of some €321 million to commence in the period 2010 to 2012. It is estimated that these contracts will allow for the replacement of 640km of mains or about 3% of the public national network. Over time, this investment should lead to marked reductions in unaccounted for water and progress in this regard will continue to be monitored on an annual basis through the local authority service indicator process.

Local Authority Housing

48. **Deputy Richard Boyd Barrett** asked the Minister for the Environment, Community and Local Government his plans to establish a loan scheme through local authorities for the retrofitting of houses; and if he will make a statement on the matter. [15604/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): This year my Department is providing €203 million to support a number of measures aimed at improving the quality and standard of local authority social housing stock, ranging from large-scale regeneration and estate-wide improvement works to the retrofitting and refurbishment of individual vacant and occupied units. My Department also provides Exchequer funding, amounting to €63.6 million in 2011, to support a suite of improvement works and adaptations to privately owned properties to meet the accommodation needs of older people and people with a disability.

Local authorities currently provide loan finance to low-income creditworthy households for house purchase or construction. I have no plans to extend the lending activities of local authorities to provide loan finance to homeowners to undertake refurbishment or retrofitting works to their private properties. My colleague, the Minister for Communications, Energy and Natural Resources recently announced the launch of Better Energy: The National Upgrade Programme, which is administered by the Sustainable Energy Authority of Ireland (SEAI). The residential strand of Better Energy allows domestic customers to apply for an Exchequer supported incentive, currently a grant but which will migrate to an upfront discount later this year, for a range of improvement measures including wall insulation, high efficiency boilers, heating control upgrades and solar thermal measures.

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 understands a proposal is being developed by SEAI in this regard in consultation with the utilities and financial institutions in line with this timeframe.

Local Government Elections

49. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and Local Government if he will consider the extension of the Dublin City Council area to its

logical boundary of the M50 line as requested by councillors from the area in order to bring all of the Dublin North-West constituency area under the same city council authority. [15637/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

The procedures currently governing boundary alterations are set out in Part V of the Local Government Act 1991 and in the Local Government (Boundary Alteration) Regulations 1996. Under these provisions, it is open to a local authority to initiate a proposal for the alteration of its boundaries. This involves preparation of a formal boundary alteration proposal by the authority concerned including financial, organisational and other implications; invitation of public submissions; and consultation with the other local authorities affected by the proposal, prior to submitting a formal application to the Minister. There is no boundary application from Dublin City Council currently before my Department nor does it have any information in relation to the preparation of such an application.

Water Charges

50. **Deputy Timmy Dooley** asked the Minister for the Environment, Community and Local Government the terms of reference and procurement method he used in the selection of consultants to assist in the national roll-out of water meters. [15600/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Fergus O'Dowd): The Programme for Government provides for the introduction of a fair funding model to deliver clean and reliable water. The objective is to install water meters in households and move to a charging system based on usage above a free allowance. The Department of Environment, Community and Local Government is currently preparing a strategy to implement these proposals, including the approach to be taken for procurement. No consultants have been employed by the Department in developing these proposals. Further details will be made available following the Government's consideration of the proposals.

Question No. 51 answered with Question No. 7.

Noise Pollution

52. **Deputy Seán Crowe** asked the Minister for the Environment, Community and Local Government when he will introduce fixed payment notices, also known as on-the-spot fines, and provision for mediation between neighbours on the issue of noise pollution. [15625/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

My Department is re-considering the approach to introducing noise legislation in light of the Programme for Government, which 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. 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.

Departmental Expenditure

53. **Deputy Catherine Murphy** asked the Minister for the Environment, Community and Local Government the fund from which the recent State visits were paid; if local authorities were allocated additional funds; if so, the amount of same; and if he will make a statement on the matter. [14108/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I assume the Question refers to the recent visits to Ireland by Queen Elizabeth II and US President Barack Obama. No dedicated funding was provided by my Department in connection with these visits. In announcing funding for a new Civic Responsibility Week in April 2011, I emphasised, against the background of the Royal/Presidential visits which were to take place in the weeks which followed, the importance of ensuring that we present our country as a clean and green location in which to live, work and do business. Under the Civic Responsibility Week scheme, which ran from Monday 9 May to Sunday 15 May, local authorities were allocated a total of €350,000 from the Environment Fund to undertake activities to improve the appearance of their local environments, in conjunction with local business, residents and community groups. Individual allocations to local authorities under the scheme ranged from €5,000 to €20,000.

Social and Affordable Housing

54. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if he has studied the way in which the shared ownership mortgage scheme is developing with particular reference to the degree to which those who obtain such mortgages are penalised by way of increased value of rental part of the equity, thereby resulting in a situation wherein people who were deemed eligible for such loans on the basis of their income have been penalised on the grounds of annual rental increase plus mortgage increase plus notice to the effect that purchase of the remaining equity must be effected within the term of the original loan; if his attention has been drawn to the concern and hardship now being caused in such cases; and if he will make a statement on the matter. [15588/11]

Minister of State at the Department of the Environment; Community and Local Government (Deputy Willie Penrose): I refer to Question No. 120 of 16 June 2011, which sets out the position in relation to this matter.

Waste Management

55. **Deputy Luke 'Ming' Flanagan** asked the Minister for the Environment, Community and Local Government his views on the reports in the weekend newspapers regarding waste infrastructure which quoted the president of Covanta Europe when he stated that the situation had changed totally in Ireland with the new Government; and will he confirm or deny that he will be giving the green light to the incineration of waste here. [15557/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): I do not intend to comment on remarks attributed to executives of Covanta. My focus is on the development of waste policy. Following a period of uncertainty in this area under the previous Government, this administration's Programme for Government commits to the development of a coherent national waste policy which will aim to minimise waste disposal in landfill and maximise recovery. I am prioritising this commitment, as I am anxious to provide early regulatory certainty, in the form of both policy and legislation, to ensure that the necessary actions and investments are progressed to achieve those aims.

Our current over-reliance on landfill facilities is unsustainable and the move away from landfill must be accelerated. We must ensure that a range of infrastructure is available to treat the waste we generate in an environmentally appropriate manner. That process of infrastructural diversification must be guided not by a fixation in favour of or against any particular process or technology, but by a policy approach, consistent with the waste hierarchy, which creates the space within which the range of appropriate infrastructure that we need can be brought forward.

I look forward to engaging with parliamentary colleagues and the range of interests in the waste sector in the development of this policy framework. It is my intention to complete the policy development process by the end of this year.

Passport Applications

56. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Foreign Affairs and Trade the procedure to be followed in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [16085/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The position in regard to this application is unchanged from my reply to the Deputy's previous question no. 83 of 17th May, 2011, where I indicated that enquiries are being made with regard to verifying the detail of the applicant's birth affidavit. As soon as this information is received by the Passport Service, the application in question will be finalised and the applicant will be advised of this accordingly.

Foreign Conflicts

57. **Deputy Joe Costello** asked the Tánaiste and Minister for Foreign Affairs and Trade the steps he has taken to raise concerns regarding the treatment of doctors trained in Ireland who are arrested and detained in prisons in Bahrain in the recent conflict; and if he will make a statement on the matter. [15937/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): I would like to reiterate my grave concern about the reports of detention, torture, intimidation and trials of medical professionals in Bahrain, some of whom are Irish-trained, for simply meeting their professional and ethical obligation to attend to those seriously injured in the recent violent clampdown against peaceful protestors. I have previously outlined the Government's position which is very clear: we condemn all repressive actions by the Bahrain authorities during and after the recent protests, including those taken against medical staff following their professional obligations. We wish to see all reported serious violations of human rights credibly investigated, the immediate release, unless charged, of detained peaceful protestors and medical professionals who assisted the injured, access for independent observers to the ongoing legal proceedings, and a process of inclusive dialogue aimed at agreeing necessary political and economic reforms. The Government is making our grave concerns known to the Bahraini authorities on this matter. The EU has already formally raised the human rights situation in Bahrain, including the repressive actions taken against medical staff there, with the Bahraini authorities in Manama on 15 May. Nationally, Ireland strongly supports further urgent representations being made by the EU in the coming days to express our deep concern about the ongoing trials of the 47 medical professionals and to press for international and domestic observers to be allowed to follow the legal proceedings.

I call upon the authorities in Bahrain to respect the detainees' fundamental rights, including their right to receive visits and to have unimpeded access to their lawyers, in line with the country's own constitutional and international obligations. I am troubled by reports that the detainees have had very limited visits or contact with their families since detention, that there have been serious physical and sexual assaults in custody and that the detainees have been forced to sign confessions and make statements confessing their involvement in crimes. I recall that Bahrain is a signatory to the International Covenant on Civil and Political Rights which upholds the right to a fair trial.

[Deputy Eamon Gilmore.]

Ireland will continue to seek to raise this issue with the Bahraini authorities at all possible opportunities and to insist that the authorities hold those responsible for violence against protestors and against medical professionals accountable for these crimes.

58. **Deputy Maureen O’Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has concerns on the serious crisis in Bosnia due to Serbia’s ongoing provocative statements in relation to Bosnia and in view of Serbia’s support for separatist leader Milorad Dodik, Republika Srpska; and if he will make a statement on the matter. [16006/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): At a meeting on 13 May 2011, High Representative Ashton secured a commitment from Milorad Dodik that a decision by the Republika Srpska national assembly to hold a referendum in mid-June on the work of Bosnia and Herzegovina’s state court and prosecutor’s office would be repealed. Subsequently, on 2 June 2011, the Republika Srpska national assembly voted to repeal the decision to hold the referendum. I welcome this development. Following High Representative Ashton’s discussions with political leaders in Bosnia and Herzegovina, a structured dialogue between the European Commission and Bosnia and Herzegovina on justice issues was established, within the framework of the EU’s Stabilisation and Association Process. This dialogue provides a forum in which concerns about justice issues can be discussed. The first meeting of the structured dialogue took place in Banja Luka on 6-7 June 2011, with Enlargement Commissioner Stefan Füle leading the EU delegation and Minister of Justice Bariša Stanišić leading the Bosnia and Herzegovina delegation. The meeting took place in a positive and constructive atmosphere, with all sides agreeing that respect for the Dayton agreement was a prerequisite for the dialogue.

It is important that political leaders in the region — in their actions and words — work to support efforts to achieve progress in Bosnia and Herzegovina. I am pleased to note that President Boris Tadić of Serbia welcomed the agreement reached by High Representative Ashton with Milorad Dodik to repeal the decision to hold the referendum. President Tadić has consistently stated that Serbia fully respects the Dayton peace agreement and the territorial integrity of Bosnia and Herzegovina.

It is also important to acknowledge the significant developments we have seen in terms of reconciliation between Serbia and Bosnia and Herzegovina. In March 2010 Serbia’s parliament passed a declaration condemning the Srebrenica massacre and apologising to the families of the victims. In the same month, Bosnia and Herzegovina appointed an Ambassador to Serbia after a three-year hiatus. This was followed by a joint visit by the Serbian and Croatian Presidents to Bosnia and Herzegovina in July 2010 to attend a commemoration to mark the 15th anniversary of the Srebrenica massacre. On 27 April 2011, the leaders of Bosnia and Herzegovina, Serbia and Turkey held their second trilateral summit, where they agreed to assist each others’ efforts towards joining the EU and to work together to deal with the prejudices of the past.

Most recently, the arrest on 26 May 2011 of former Bosnian Serb general Ratko Mladić by the Serbian authorities, and his transfer to the International Criminal Tribunal for the former Yugoslavia (ICTY) in The Hague on 31 May 2011, represented an important step in addressing the appalling atrocities committed during the war in Bosnia and Herzegovina in the 1990s. His trial in The Hague will help to further the cause of true reconciliation in the Western Balkans region.

There will be a discussion on the Western Balkans at the Foreign Affairs Council on 20 June. I look forward to that discussion and to reports by High Representative Ashton on her recent visits to region.

Departmental Expenditure

59. **Deputy Joe Higgins** asked the Tánaiste and Minister for Foreign Affairs and Trade the costs to the State of the visits of Queen Elizabeth II of England and the President of the USA. [16010/11]

Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore): The current total of costs accruing to my Department from the State visit of Queen Elizabeth II is €192,569.66 and the visit by President Obama is €47,257.55. These costs relate to expenditure on transport, overnight accommodation costs for staff, official entertainment and catering, I.T. and administrative costs as well as overtime payments to some staff working on the visits. There will be some further expenditure to cover residual costs which have not yet been finalised.

Proposed Legislation

60. **Deputy Gerald Nash** asked the Minister for Finance his plans to legislate for the licensing of money advice services. [16012/11]

Minister for Finance (Deputy Michael Noonan): Some financial service providers, currently authorised by the Central Bank, provide debt advice to consumers, for example, mortgage brokers. Consumers can confirm whether or not a financial service provider is authorised by checking the Register of Financial Service Providers on the Central Bank's website.

There are also companies offering debt management and debt counselling services which are not registered with or authorised by the Central Bank.

In the context of future legislation on financial regulation, I will examine the question of licensing all companies that offer debt management and debt advice services.

Financial Services Regulation

61. **Deputy Gerald Nash** asked the Minister for Finance his plans to introduce a maximum level of interest which can be charged by licensed moneylenders in view of the fact that some licensed moneylenders are currently and legally charging rates of up to 100%. [16013/11]

Minister for Finance (Deputy Michael Noonan): At present, moneylenders are covered by a range of provisions under the Consumer Credit Act 1995 (the Act), including the annual licensing process and the register of licensed moneylenders system as administered by the Central Bank.

Consumers, who avail of loans from moneylenders licensed under the Act, are entitled to a considerable amount of information in relation to such loans. Moneylenders are required to assist consumers to understand the products on offer. They must provide the following information to their clients:

- the method of repayment of the loan, and
- details of all fees, related interest payments, charges and the cost per €100 borrowed.

They must also indicate prominently the high-cost nature of the loan on all loan documentation where the APR is 23% or higher. This disclosure must take the following form: Warning: This is a high-cost loan

These requirements are set out in the Central Bank's Consumer Protection Code for Licensed Moneylenders.

[Deputy Michael Noonan.]

I would encourage consumers to shop around and consider all the different sources of loans that are available to them. I would also encourage them to avail of the personal finance information that is available from the National Consumer Agency. This information can be found on the website *www.itsyourmoney.ie*. In addition to the information provided on this website, people who are in debt or in danger of getting into debt may avail of the services of the Money Advice and Budgeting Service (MABS). MABS works with people in order to assist them with financial planning and budgeting for the future. It is a national, free, confidential and independent service.

Exchequer Savings

62. **Deputy Seamus Kirk** asked the Minister for Finance if the suggestion that gold profits in the EU central banks should be used to tackle the debt crisis in the peripheral countries in the eurozone such as Greece, Portugal and Ireland; and if he will make a statement on the matter. [15924/11]

Minister for Finance (Deputy Michael Noonan): I am informed by the Central Bank that the value of gold and gold receivables held by the Bank at the end of 2010 was some €203.792 million (€147.975 million at end-2009). Gold is valued at the closing market price and securities at mid-market closing prices at year-end. The increase in the balance sheet entry for the value of the Bank's gold holdings at end-2010 is due to the change in the market value of gold during the year.

The Central Bank is required by legislation to remit annually to the Exchequer its surplus income arising in the previous year. The Bank is expected to pay €671.029 million to the Exchequer in 2011 in respect of its surplus income arising in 2010. This would not include the valuation adjustment on the gold assets.

Under the European Treaties and the Statute of the European Central Bank, the ECB and the European System of Central Banks are independent in the exercise of the powers and carrying out the tasks and duties conferred on them.

EU Funding

63. **Deputy Joe Costello** asked the Minister for Finance the reason Ireland is not using European Regional Development Funds for the insulation of social housing; and if he will make a statement on the matter. [15935/11]

Minister for Finance (Deputy Michael Noonan): Ireland has been allocated in total €901m in Structural Funding for the 2007-13 programming period with €750m assigned to the Regional Competitiveness and Employment (RCE) Objective. Ireland's National Strategic Reference Framework (NSRF) sets out the policy context through which the RCE allocation may be applied. This is implemented through three Operational Programmes: the Border, Midlands and Western (BMW) OP, the Southern and Eastern (S&E) OP, both co-funded by the European Regional Development Fund (ERDF), and the Human Capital Investment OP, which is co-funded by the European Social Fund (ESF). The balance of €151m is for smaller Territorial Cooperation programmes including PEACE III, INTERREG IVA and the Ireland Wales programme.

When Ireland was preparing its NSRF and OPs, the regulations governing the use of Structural Funds precluded expenditure on housing for those Member States that acceded to the European Union before 1st May 2004. The regulations were amended in 2009 to allow for

energy efficiency improvements and the use of renewable energy in existing low income housing.

Following the regulation change, my Department had discussions with the Department of Communications, Energy and Natural Resources, the Sustainable Energy Authority of Ireland (SEAI) and the BMW and S&E Managing Authorities to consider whether such energy efficient measures could be included in our structural funds programmes. However, it was concluded that these schemes were not compatible with the complex EU Structural Funds eligibility and audit criteria.

It should be noted that Ireland, in any case, has sufficient expenditure in the ERDF funded OPs to draw down our full structural fund allocation to support economic and social development throughout Ireland so no additional funding would have been made available.

Nonetheless, it should be emphasised that the upgrade of social housing is fully catered for under various existing Government programmes. Generally, social housing is defined as local authority homes and homes provided by housing associations. The upkeep of Local Authority homes is managed by the Local Authorities. In relation to the housing association homes, of which there are about twenty five thousand, grants are available for the implementation of energy efficiency improvement measures in such homes thorough the Better Energy Homes programme managed by the SEAI.

Tax Code

64. **Deputy Michael Creed** asked the Minister for Finance the incentives available under legislation sponsored by him to encourage land transfer to young qualified farmers; and if he will make a statement on the matter. [15954/11]

Minister for Finance (Deputy Michael Noonan): The purchase of land by a Young Trained Farmer qualifies for an exemption from Stamp Duty. A Young Trained Farmer is someone who is under 35 years of age on the date of execution of the deed of transfer and has attained one of the necessary qualifications and, where required, is the holder of the appropriate certificate(s) awarded by the Further Education and Training Awards Council (FETAC) in respect of Teagasc approved training courses.

Qualifications for applying for relief from Stamp Duty in respect of transfers to Young Trained Farmers are set out in Schedules 2, 2A and 2B of the Stamp Duties Consolidation Act 1999. These lists include qualifications awarded by third-level institutions. If the individual holds one of these qualifications (and the appropriate FETAC certificate, where required) and is under 35 years of age, s/he would be defined as a Young Trained Farmer and would therefore qualify for an exemption from Stamp Duty. Further information, including a form to apply for the exemption, can be obtained in Revenue Leaflet SD2B, "Stamp Duty Exemption — Transfer of Land to Young Trained Farmers", available from Revenue offices and on the Revenue website.

This exemption is due to expire on 31 December 2012.

Flood Relief

65. **Deputy Éamon Ó Cuív** asked the Minister for Finance if arrangements have been made to ensure flood insurance cover for a family (details supplied); if not, if he will recommend to the Department of Social Protection that relocation be agreed; and if he will make a statement on the matter. [15968/11]

Minister for Finance (Deputy Michael Noonan): The question of providing cover to new policyholders or renewing it for existing ones is a matter for each insurance company to decide on a case by case basis as this allows a company to properly assess the risk it is considering accepting. Consequently I am not in a position to comment on particular cases as neither the Central Bank nor I, as Minister for Finance, have any influence over such matters. However, it should be noted that the industry has informed my Department that it is reluctant to discontinue flood cover for existing policyholders, and would generally only do so where there have been repeated claims.

The best option open to a person who is unable to get cover or to renew it is to contact the Irish Insurance Federation which operates a free Information Service in order to discuss the matter. Their service can be contacted at (01) 6761914 or by email at iis@iif.ie. As regards the question of providing alternative accommodation for the family in question, I have no statutory function in relation to this matter.

Tax Collection

66. **Deputy Éamon Ó Cuív** asked the Minister for Finance his plans to introduce legislation to ensure that persons cannot avoid tax on pension funds by moving to Portugal before maturity date; and if he will make a statement on the matter. [15971/11]

Minister for Finance (Deputy Michael Noonan): I understand that the Deputy is referring to the potential for individuals to transfer their pension funds abroad with a view to avoiding tax on a chargeable excess that might arise at the time the pension benefits would otherwise become payable in Ireland.

By way of background, under legislation introduced in Budget and Finance Act 2006, a limit of €5 million was placed on the maximum allowable pension fund on retirement for tax purposes. This limit is known as the Standard Fund Threshold (SFT). The limit was further reduced in Budget and Finance Act 2011 to €2.3 million. If the individual had already built up pension rights above that amount on the specified date i.e. on 7 December 2010, a higher threshold known as the Personal Fund Threshold (PFT), applies. In due course, on each occasion that an individual draws down pension benefits, known as a “benefit crystallisation event (BCE)”, the capital value of those benefits is measured against the individual’s SFT or PFT, as the case may be. Where the capital value of a BCE, either on its own or when added to earlier BCEs, exceeds the SFT or the individual’s PFT, an immediate income tax charge is triggered at a rate of 41% on the amount of the excess. This is in addition to any tax charged on the pension benefits drawn down in the normal way. In that regard, it should be noted that a transfer to an overseas pension arrangement itself constitutes a BCE under the provisions of the legislation and the value of the transfer would have to be measured against the SFT or the individual’s PFT at the point of transfer to determine if a chargeable excess arose at that point.

On the question of the transfer of pension funds abroad generally, provision does exist in Irish legislation for the transfer of an occupational pension scheme member’s pension fund benefits or a PRSA contributor’s PRSA assets to an overseas arrangement. Such transfers are, however, subject to all of the relevant conditions being met. In that regard, such transfers have, in the first instance, to comply with the Department of Social Protection’s “Occupational Pension Schemes and Personal Retirement Savings Accounts (Overseas Transfer Payments) Regulations 2003”. Under these Regulations, in the case of occupational pension schemes, the facility to transfer only applies to a scheme member who is entitled under the Pensions Act 1990 to “preserved benefits” under the scheme — in other words to a scheme member whose service in the relevant employment has terminated.

It is a requirement of the Regulations that the trustees of the pension scheme or the PRSA provider, as appropriate, satisfy themselves that

- the benefits provided by the overseas arrangement are “relevant benefits” within the meaning of the pension tax legislation, and
- that the overseas arrangement has been approved by an appropriate regulatory authority in the country concerned.

In practice, trustees and PRSA providers are required to obtain written confirmation to that effect from the trustees, custodians, managers or administrators of the overseas arrangement to which the transfer is to be made.

In addition to the foregoing, I am advised by the Revenue Commissioners that in late 2009, they introduced an additional approval condition for all existing and new retirement benefit schemes and PRSAs to the effect that all overseas transfers under the provisions of the above mentioned Regulations may be made to facilitate bona fide transfers only, that is that they are not made with the primary purpose of circumventing Irish tax requirements. Moving pension funds abroad primarily to frustrate Irish tax rules would fall foul of that approval condition and could ultimately result in approval being withdrawn, which would have very significant consequences for any individual concerned.

Additional Revenue rules also apply depending on where the transfer is to be made. Where the transfer is to another EU Member State, the overseas scheme must be operated or managed by an Institution for Occupational Retirement Provision (IORPS), within the meaning of the EU Pensions Directive, and must be established in a Member State of the European Communities which has implemented the Directive in its national law. The scheme administrator must be resident in a EU Member State.

A transfer to a country outside the EU may only be made to a country in which the member or PRSA contributor is employed at the time of the transfer.

Apart from falling foul of the Revenue Commissioners approval conditions, I am also advised by the Commissioners that transferring pension funds abroad primarily to avoid potential tax charges in this jurisdiction would also come within the ambit of section 811 of the Taxes Consolidation Act 1997. This is the general anti-avoidance provision which could also be used by Revenue to pursue such cases that come to their attention. In summary, therefore, transfers of pension benefits abroad are governed by existing legislation, regulations and Revenue rules. In light of that, I have no plans at this time to introduce further legislation in the area but I will keep the matter under review. However, I would ask the Deputy to provide any further information he might have in relation to his concerns generally, to my Department and, if he has any details of specific cases, to provide such details to the Revenue Commissioners so their bona fides can be tested.

Tax Code

67. Deputy Éamon Ó Cuív asked the Minister for Finance his plans to introduce a VAT refund scheme for all micro-energy installations used on non-VAT registered farms to encourage the growth of this sector; and if he will make a statement on the matter. [15973/11]

Minister for Finance (Deputy Michael Noonan): Farmers who are registered for VAT account for VAT in respect of all their taxable activities, whether those activities consist solely of farming or both farming and other activities such as the generation of electricity for provision

[Deputy Michael Noonan.]

to the national grid. In turn they are entitled to claim input credit for VAT charged on the installation of renewable energy microgeneration equipment for use in their taxable activities.

Farmers who are not registered for VAT are not in the normal course entitled to credit for, or repayment of, VAT incurred by them on their business inputs. The Value-Added Tax (Refund of Tax) (No. 25) Order, 1993 provides for refunds to unregistered farmers for tax borne on the “construction, extension, alteration or reconstruction of any building or structure which is designed for use solely or mainly for the purposes of a farming business”. However, while the installation of micro energy equipment may be the construction of a structure, such a structure is not “designed for use solely or mainly for the purposes of a farming business”. It is designed rather to generate electricity for wherever required. Consequently, the installation of alternative energy generators does not come within the scope of the VAT refund order.

Tax Collection

68. **Deputy Emmet Stagg** asked the Minister for Finance the reason income tax is being deducted from a person (details supplied) in County Kildare despite the fact that all documentation has been supplied showing the person is exempt from tax. [15990/11]

Minister for Finance (Deputy Michael Noonan): I have been advised by the Revenue Commissioners that an amended tax credit certificate issued to the person concerned on 10 June 2011. Based on that certificate, and the information available to the Revenue Commissioners regarding the person’s income, no tax will be deducted and their employer will repay any tax already deducted.

Tax Code

69. **Deputy John Lyons** asked the Minister for Finance with regard to the measures announced in last month’s jobs initiative regarding the introduction of a second reduced rate of VAT, primarily introduced to boost confidence in the high value and labour intensive tourism industry, in view of the fact that services such as hairdressing have been included within the banner of the tourism sector, if he will agree to consider other related services, including dry cleaning and laundry services. [15999/11]

Minister for Finance (Deputy Michael Noonan): VAT is charged on the supply of goods and services, and the rate applying is subject to the requirements of EU VAT law with which Irish VAT law must comply. While many tourist related services are being made subject to a new temporary lower reduced VAT rate of 9% from 1 July next, it is not possible to extend this treatment to all goods and services that are currently subject to the 13.5% rate.

This arises from the fact that many of goods and services to which Ireland applies a reduced rate of VAT, including dry cleaning and laundry services, have their basis under an EU derogation that provides that as we applied a reduced rate to these items on 1 January 1991, we are entitled to continue applying that reduced rate to those items. However, this continuation of reduced rate application is conditional on the rate being no less than 12%. These are known as ‘parked’ items, and are provided for under Article 118 of the EU VAT Directive. As laundry and dry cleaning services are such parked items, it is not possible for Ireland to apply the rate of 9% to them.

It is also for this reason that the Jobs Initiative introduced a 9% VAT rate in respect of tourist activities such as restaurant and hotel accommodation services, while other tourist activi-

ties such as tour guide services and the short-term hire of cars, boat, caravans and mobile homes remain liable to VAT at the 13.5%. However, it should be noted that in the majority of EU Member States dry cleaning and laundry services apply at their standard VAT rate of up to 25% in some cases, compared to 13.5% in Ireland.

Tax Collection

70. **Deputy Tom Fleming** asked the Minister for Finance if he will furnish the entire VAT refund in respect of a person (details supplied) in County Kerry. [16030/11]

Minister for Finance (Deputy Michael Noonan): I am advised by the Revenue Commissioners that the Value Added Tax (Refund of Tax) (No.15) Order 1981 enables the Revenue Commissioners to refund the VAT paid on qualifying goods, which are purchased for the exclusive use of disabled persons suffering a specified degree of disablement. Qualifying goods means aids or appliances, including parts and accessories, specially constructed or adapted for use by a disabled person.

A repayment of VAT was made to the named person based on the original Occupational Therapist's report, which was submitted to Kerry County Council with a grant application. The Occupational Therapist recommended a large en-suite bedroom to accommodate a level access shower and changing bench. The proposed expenditure amounted to €32,300 (VAT inclusive). A County Council grant of €20,315 was approved.

The legislation governing this scheme does not provide for building work. However, as a concession, the repayment of VAT was based on the original proposed expenditure of €32,300, which included VAT in the amount of €4,360. A further repayment was granted in respect of VAT paid on the purchase of a Maxisky Hoist and Sling. The named person carried out further renovations in addition to those recommended by the Occupational Therapist and it is not possible to refund the VAT on these additional renovations.

Pension Provisions

71. **Deputy John Lyons** asked the Minister for Finance if his attention has been drawn to the situation in Permanent TSB whereby the company is attempting to pass on the shortfall in its defined benefit pension schemes to staff by way of reductions in benefits and higher contributions despite undertakings in 2006 to staff and to the Labour Court that the Irish Life and Permanent group would provide a pension based on its staff's original employment terms; and if he will make a statement on the matter. [16036/11]

72. **Deputy John Lyons** asked the Minister for Finance if he will request the Irish Life and Permanent group to carry out a new actuarial valuation on the assets of the Permanent TSB bank defined benefit pension schemes as the last valuation was completed in January 2009 and the shortfall in the pension schemes of €118 million would have reduced significantly (details supplied); and if he will make a statement on the matter. [16037/11]

73. **Deputy John Lyons** asked the Minister for Finance if he will request the Irish Life and Permanent group to use the funds arising from the proceeds of the sale of Irish Life to reduce the current shortfall in the bank's defined benefit pension schemes and thereby honour the group's original agreement with its workers and the Labour Court in 2006. [16038/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 71 to 73, inclusive, together.

[Deputy Michael Noonan.]

The issues raised by the Deputy, in his first two questions, are for the board and management of Irish Life and Permanent (ILP) and fall to be addressed using the normal industrial protocols. Accordingly, it would not be appropriate for me, as Minister for Finance, to comment further.

In relation to the possible use of the sale proceeds of the life assurance company, ILP has been mandated by the Central Bank of Ireland arising from the recent stress tests on capital adequacy of the covered institutions to raise €4bn and in this connection has decided to fund this shortfall, in part, by offering its life and pensions business for sale as announced on 31 March 2011. Accordingly, any alternative uses for the proceeds of the planned disposal are not available.

Public Sector Pay

74. **Deputy Mary Lou McDonald** asked the Minister for Finance if the proposed new cap of €250,000 on commercial semi-State chief executives salaries will apply to the ESB's replacement of a person (details supplied); the measures he will put in place to ensure that other elements of chief executive's remuneration package are not bolstered to make up the shortfall on the expected salary once the cap is in place. [16046/11]

75. **Deputy Mary Lou McDonald** asked the Minister for Finance the model used for calculating the proposed salary caps for semi-State chief executives of €250,000 and €200,000 for senior public servants. [16047/11]

Minister for Finance (Deputy Michael Noonan): I propose to take Questions Nos. 74 and 75 together.

Proposals have been brought to Government concerning *inter alia* the remuneration of chief executives in Commercial State Sponsored Bodies. It would be inappropriate to comment in advance of a Government Decision on the matter or indeed to give an indication of possible outcomes at this time.

76. **Deputy Catherine Murphy** asked the Minister for Finance further to Parliamentary Question No. 150 of 17 May 2011, his views on whether it is equitable that school employees paid through private funds should be subject to section 2 of the Financial Emergency Measures in the Public Interest (No. 2) Bill 2009 without receiving the standard benefits enjoyed by public sector employees; and if he will make a statement on the matter. [16075/11]

Minister for Finance (Deputy Michael Noonan): The school in which the staff are employed is defined as a public service body within the meaning of, and for the purposes of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009. This definition applies to all recognised schools.

Once staff are employed by a public service body they must be subject to the provision of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009 irrespective of the sourcing of the funds from which they are paid.

In summary, it is the nature of the employing body, not the source of the funding, which determines the application of the provisions of the Act.

Employment Support Services

77. **Deputy Joe Costello** asked the Minister for Education and Skills the amount of money that was received from the EU Globalisation Fund for the SR Technics workers; the amount that has been spent to date; the purpose for which it was spent; the amount outstanding; and if he will make a statement on the matter. [15936/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): I refer the Deputy to the reply provided to Parliamentary Question No. 202 [15079/11] of 15 June 2011.

Departmental Funding

78. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will provide a breakdown of funding from him to the US-Ireland Alliance by year from 2000 to 2011 including annual details of the portion of that funding spent directly on scholarships, on contributions to salaries, and on administrative costs; if he will further provide a list of the number of scholarships per year and the details of any evaluations undertaken by him into the operation and effectiveness of the funding provided to the US-Ireland Alliance; and if he will make a statement on the matter. [16051/11]

79. **Deputy Pearse Doherty** asked the Minister for Education and Skills if he will provide a breakdown of funding from him to the George Mitchell Scholarship Programme by year from 2000 to 2011 including annual details of the portion of that funding spent directly on scholarships, on contributions to salaries, and on administrative costs; if he will provide a list of the number of scholarships per year and the details of any evaluations undertaken by him into the operation and effectiveness of the funding provided to the programme; and if he will make a statement on the matter. [16052/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 78 and 79 together.

In 1999 the US-Ireland Alliance established the George Mitchell Scholarship Programme, a prestigious and competitive scholarship programme to enable American university graduates to pursue a year of study at institutions of higher learning in Ireland and Northern Ireland. The scholarship was named after Senator George J. Mitchell in honour of his pivotal contribution to the Northern Ireland peace process.

Following the enactment of the George Mitchell Scholarship Fund Act 1998, it was agreed to establish a Fund aimed at funding up to 12 scholarships per year. The 1998 Act also empowered the Minister for Education and Science to enter into an agreement relating to the management and control of the Fund. An Agreement was signed with the US-Ireland Alliance in March 1999. An Irish Government endowment of IR£2 million was subsequently paid into the Fund. The endowment was to fund 2 scholarships of US\$11,000 per year and to meet the administrative costs associated with running the programme. A further 10 scholarships were funded annually under the George Mitchell Scholarship Programme. The costs of these scholarships were met through an endowment made by the British Government (2 scholarships per year) and other private contributions and/or sponsorship (including the US Government) secured by the US-Ireland Alliance.

The nominal value of the Fund decreased in a difficult investment climate in the US. In 2003 a decision was made to rest the Fund for a period by not making any disbursements in respect of scholarships from the income generated from the Fund.

[Deputy Ruairí Quinn.]

Since 2003 the only charge against the income from the Irish Government's endowment has been in respect of audit and investment advisory fees. The costs of the scholarships and administration including salaries have been borne by the US-Ireland Alliance from funds it has raised from other sources. This includes several million dollars from the US Government.

In 2007 a decision was taken to secure the long term viability of the George Mitchell Scholarship Programme by increasing Ireland's contribution to the Fund for the programme by €20 million to be paid over a number of years, conditional on matching funding being raised by the US-Ireland Alliance. Such matching funding must not include funding from public funds in Ireland or Northern Ireland.

The George Mitchell Scholarship Fund (Amendment) Act 2010 was brought into operation on 1st June 2010. Pursuant to the terms of the amending legislation and new agreement, my Department paid €1,493,507 into the George Mitchell Scholarship Fund on 30th July 2010. This is the only payment made by my Department into this Fund since the initial endowment of IR£2 million in 1999.

To date, my Department has not received a claim for payment from the US-Ireland Alliance for 2011 and it is not possible at this stage to indicate the amount of funding that will be required or to give a breakdown of possible disbursements from it. My Department has not undertaken any evaluation of the George Mitchell Scholarship Programme.

The attached table 1 sets out the expenditure charged against the income from the Irish Government's endowment for the period 1999-2010. This information is taken from the audited accounts of the Fund.

Since the first cohort in the 2000/2001 academic year a total of 126 highly qualified US students (including the 2010/2011 cohort) have participated in the programme (see table 2 attached). The Mitchell scholars receive an allowance of about \$12,700 towards living expenses and a travel allowance of up to \$2,300. Their fees and accommodation costs are met by the colleges they attend.

George Mitchell Scholarship Programme Expenses in US \$

	1999 (9 months)	2000	2001	2002	2003
Administration	60,522	108,062	119,681	85,803	48,905
Final Interviews	14,217	10,657	8,649	8,897	0
Investment Advisory Fees	0	0	19,054	21,730	19,311
Printing, Publicity, Postage	3,834	16,145	7,124	6,376	0
Stipends	0	11,000	22,000	22,000	11,000
Travel	0	2,182	2,432	0	0
Website design and maintenance	2,587	2,961	2,228	1,241	0
Total	81,160	151,007	181,168	146,047	79,216

	2004	2005	2006	2007	2008
Administration	4,580	4,930	5,450	5,209	5,490
Final Interviews	0	0	0	0	0

	2004	2005	2006	2007	2008
Investment Advisory Fees	22,980	24,510	27,067	30,158	27,747
Printing, Publicity, Postage	0	0	0	0	0
Stipends	0	0	0	0	0
Travel	0	0	0	0	0
Website design and maintenance	0	0	0	0	0
Total	27,560	29,440	32,517	35,367	33,237

	2009	2010			
Administration	5,450	5,475			
Final Interviews	0	0			
Investment Advisory Fees	11,429	20,279			
Printing, Publicity, Postage	0	0			
Stipends	0	0			
Travel	0	0			
Website design and maintenance	0	0			
Total	16,879	25,754			

Breakdown of George Mitchell Scholars by Institution and Programme

Year	Scholars	Institutions	Programme
2001	12	Dublin City University	Financial and Industrial Mathematics
		National University of Ireland Galway	International Law and Human Rights
		National University of Ireland Galway	Culture and Colonialism
		National University of Ireland Maynooth	Medieval Irish History
		Queen's University Belfast	Irish Studies
		Queens University Belfast	Human Rights and Law
		Trinity College Dublin	Peace Studies
		Trinity College Dublin	Multimedia Systems
		University College Cork	English
		University College Dublin	Mathematical Studies
		University of Limerick	Peace and Developmental Studies
		University of Ulster	Biomedical Sciences
2002	12	Dublin City University	International Relations
		Queen's University Belfast	Classics
		Queen's University Belfast	Comparative Ethnic Conflict
		Trinity College Dublin	Ethnic and Racial Studies
		Trinity College Dublin	Anglo-Irish Literature
		University College Cork	Government
		University College Cork	Applied Social Studies
		University College Dublin	Computer Science
		University College Dublin	Politics
		University of Limerick	Peace and Development studies

[Deputy Ruairí Quinn.]

Year	Scholars	Institutions	Programme
2003	12	University of Limerick	International Relations
		University of Ulster	Biotechnology
		Dublin City University	Political Communications
		NUI Galway	Human Rights Law
		NUI Galway	International Human Rights Law
		NUI Maynooth	Geography
		Queen's University Belfast	Human Rights Law
		Queen's University Belfast	Creative Writing
		Trinity College Dublin	Community Health
		Trinity College Dublin	History of Art
		University College Dublin	Anglo-Irish Literature
		University College Dublin	Anglo-Irish Literature
		University of Ulster	Peace and Conflict Studies
		University of Ulster	Political Communications and Public Affairs
2004	11	National University of Ireland Galway	Health Promotion
		National University of Ireland Galway and Queens University Belfast	Human Rights Law
		Queen's University Belfast	Comparative Ethnic Conflict
		Queen's University Belfast	Human Rights and Criminal Justice
		Trinity College Dublin	Irish Theatre and Film
		Trinity College Dublin	International Peace Studies
		University College Cork	Economic Science
		University College Cork	International Relations
		University College Dublin	Anglo-Irish literature
		University College Dublin	Equality Studies
2005	12	University of Limerick	International Studies
		Dublin City University	International Relations
		National University of Ireland Galway	Economic Policy Evaluation
		National University of Ireland Galway	Zoology
		Queen's University Belfast	Comparative Ethnic Conflict
		Queen's University Belfast	Comparative Ethnic Conflict
		Trinity College Dublin	Civil Engineering
		Trinity College Dublin	Drama Studies
		University College Dublin	Equality Studies
		University College Dublin	Politics
		University of Limerick	International Studies
		University of Limerick	International Studies
		University of Ulster	Peace and Conflict Studies
		Dublin City University	International Security and Conflict Studies
2006	11	National University of Ireland Galway	Economic Policy Evaluation
		Queen's University Belfast	Music Composition
		Queen's University Belfast	Comparative Ethnic Conflict
		Trinity College Dublin	Ecumenics
		Trinity College Dublin	Fire Engineering
		University College Cork	Applied Science
		University College Dublin	Equality Studies

Year	Scholars	Institutions	Programme
2007	11	University of Limerick	Biomedical Engineering
		University of Ulster	Peace and conflict studies
		University of Ulster	Irish History and politics
		Dublin City University	Journalism
		Dublin City University	International Security and Conflict Studies
		National University of Ireland Galway	Biomedical Science
		National University of Ireland Galway and Queens University Belfast	Human Rights and Criminal Justice
		Queen's University Belfast	International Politics
		Trinity College Dublin	International Peace Studies
		Trinity College Dublin	Creative Writing
2008	12	University College Dublin	Anglo-Irish Literature
		University of Limerick	Peace and Development Studies
		University of Limerick	International Studies
		University of Ulster	Peace and Conflict Studies
		Dublin City University	International Security and Conflict Studies
		National University of Ireland Galway	International Human Rights Law
		National University of Ireland Maynooth	Musicology
		Queen's University Belfast	Ethnic Conflict
		Queen's University Belfast	Theory, culture and identity
		Trinity College Dublin	Applied Social Research
2009	12	Trinity College Dublin	Environmental Science
		University College Cork	Contemporary Migration/Diaspora studies
		University College Cork	Politics
		University College Dublin	Meteorology
		University College Dublin	Development Studies
		University College Dublin	Cultural Policy and Arts management
		National University of Ireland Galway	Public Advocacy and Activism
		University College Dublin	Sociology
		Queen's University Belfast	Human Rights
		Trinity College Dublin	Environmental Science
2010	12	University College Dublin	Neuroscience
		University of Ulster	Peace Studies
		National University of Ireland Maynooth	Anthropology and Development
		Dublin City University	Political Communication
		Dublin City University	Development Studies
		Trinity College Dublin	Creative Writing
		Queen's University Belfast	Violence, Terrorism and Security
		University College Cork	Mobile Networking and Computing
		Trinity College Dublin	Masters in Neuroscience
		University College Cork	Public Health
		University of Limerick	Music Therapy
		Queen's University Belfast	Masters in Environmental Science
		Queen's University Belfast and National University of Ireland Galway	Masters in Human Rights Law

[Deputy Ruairí Quinn.]

Year	Scholars	Institutions	Programme
2011	9	National University of Ireland Maynooth	Immunology and Global Health
		Trinity College Dublin	Playwriting
		Queen's University Belfast	Rural Development
		National University of Ireland Galway	Masters in Gender, Globalization and Development
		University College Dublin	Equality Studies
		Trinity College Dublin	Mathematical Physics
		National University of Ireland Galway	International Human Rights Law
		Trinity College Dublin	Global Health
		University of Ulster	Peace and Conflict Studies
		Dublin City University	International Security and Conflict Studies
		NUI Galway	Political Science and Sociology
		University of Limerick	Sociology
		University College Dublin	Public Health
		NUI Galway	Writing
		Queen's University Belfast	Violence Terrorism and Security
		NUI Maynooth	Military History and Strategic Studies
Total	126		

Education Schemes

80. **Deputy Michael McCarthy** asked the Minister for Education and Skills the position regarding the training of apprentices in institutes of technology or other third level institutions in view of the decline in uptake of same. [15927/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The downturn in the construction sector has resulted in a significant fall off in the numbers of apprentices being recruited nationally. In 2009 the Higher Education Authority (HEA) consulted widely with individual institutions on the impact of the reduction in these numbers on the level of apprenticeship provision in the education sector. An independent evaluation panel was established, to advise the HEA in relation to the appropriate levels of provision which should be maintained within the education sector having regard to likely future demand to 2014.

Levels of apprentice recruitment continue to be monitored on an ongoing basis and projections of future demand are regularly reviewed by my Department, FÁS and the HEA and these inform the planning of provision by Institutes of Technology. As a result of the fall off in the number of apprentices requiring training Institutes of Technology have redeployed staff to other areas, including special courses for redundant apprentices, conversion programmes to enable tradespersons and apprentices achieve new skills, and revision programmes for apprentices whose progress is delayed by assessment outcomes.

Clár Tógála Scoileanna

81. D'fhiafraigh **Éamon Ó Cuív** den Aire Oideachais agus Scileanna cén uair a lóisteálfar iarratas ar chead pleanála do Ghael Scoil de hÍde, Órán Mór, Contae na Gaillimhe, cén uair a thosaigh an obair leis an iarratas pleanála agus an dearadh a réiteach; agus an ndéanfaidh sé ráiteas ina thaobh. [15951/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Tá ceannach an tsuímh a aithníodh don scoil dá dtagraíonn an Teachta faoi réir cead imlíneach pleanála a bheith deonaithe. Chuir mo Roinn tús i Samhain na bliana 2010 le hiarratas ar chead imlíneach pleanála a réiteach. Tar éis cainteanna leis an údarás pleanála maidir le forbairt bheartaithe an tsuímh, coimisiúnaíodh suirbhéanna agus measúnachtaí speisialaithe ar an suíomh le cur san áireamh san iarratas pleanála. Nuair a bheidh gach tuairisc riachtanach faighte agus an réamhobair déanta, tabharfar an t-iarratas pleanála chun críche agus seolfar é chuig an údarás pleanála.

Departmental Agencies

82. **Deputy Éamon Ó Cuív** asked the Minister for Education and Skills the number of retired staff of FÁS that have been rehired either on a temporary basis or on a contract basis; and if he will make a statement on the matter. [15970/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): FÁS hires staff on a temporary basis to fill short term vacancies which mainly arise due to illness and for night training courses. The total number of retired FÁS staff who have been re-hired on this basis, from January 2010 to April 2011 inclusive, is 52. The period of hire can vary and I have been informed by FÁS that this equates to approximately to 8 persons employed on a full time basis for the 16 month period described above.

Higher Education Grants

83. **Deputy Tom Hayes** asked the Minister for Education and Skills if the top up grant under the higher education grant scheme will be reduced in line with the decrease in the grant when the qualifying distance between the home and college is taken into account; and if he will make a statement on the matter. [15976/11]

Minister for Education and Skills (Deputy Ruairí Quinn): In common with the ordinary rate of grant, the special rate of grant or “top up” is applied on an adjacent/non-adjacent rate basis.

Therefore, in accordance with the change introduced by the previous Government to the qualifying distance criterion for the non-adjacent rate of grant, students qualifying for the special rate of grant living 24kms or less from their college will receive the adjacent rate of top up grant and those living 45kms or more from their college will receive the non-adjacent rate of top grant.

Bullying in Schools

84. **Deputy Robert Dowds** asked the Minister for Education and Skills further to Parliamentary Question No. 100 of 13 April 2011, the number of schools that will be evaluated in each of the school years 2010-11 and 2011-12 for the effectiveness of their steps to prevent and respond to racist bullying. [15979/11]

85. **Deputy Robert Dowds** asked the Minister for Education and Skills further to Parliamentary Question No. 100 of 13 April 2011, the number of schools that will be evaluated in each of the school years 2010-11 and 2011-12 for the effectiveness of their steps to prevent and respond to homophobic bullying. [15980/11]

Minister for Education and Skills (Deputy Ruairí Quinn): I propose to take Questions Nos. 84 and 85 together.

In the context of whole-school evaluations in primary and post-primary schools inspectors examine a range of policies including the school's anti-bullying policies and procedures. They

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review the extent to which measures are included to prevent and respond to various forms of bullying. These include racist and homophobic behaviour, within the framework of the school's overall code of behaviour required under the Education (Welfare) Act 2000. The Inspectorate plans its inspection programmes on a calendar year basis. In 2010 it conducted 259 whole-school type evaluations in primary schools and 59 whole-school type evaluations in post-primary schools. The planned programme for 2011 includes 250 whole-school type evaluations in primary schools and 100 whole-school type evaluations in post-primary schools. This means that the Inspectorate will conduct in the region of 668 WSEs in primary and post-primary schools in the two calendar years in question.

A new element of the whole-school evaluation procedures in primary and post-primary schools involves the issuing of questionnaires directly to pupils and parents. Children and parents are asked to respond to questions about how the school deals with bullying, discipline in the school and whether or not the school provides a safe environment for children. This direct engagement with parents and pupils through questionnaires aims to enhance the evaluation of these themes and support all schools to implement effective measures to counter bullying.

My Department takes the issue of bullying very seriously and continues to assist schools in countering bullying in all its forms, including homophobic and racist bullying. On the 30th May I launched "Including Lesbian, Gay and Bisexual Students in School Policies — Guidelines for Principals." This resource was developed through collaboration between the Gay and Lesbian Equality Network (GLEN) and the National Association of Principals and Deputy Principals (NAPD) with the co-operation of my Department. This publication provides guidelines on how LGB students and related issues can be included in key school policies.

Special Educational Needs

86. **Deputy Finian McGrath** asked the Minister for Education and Skills the position regarding a special needs assistant in respect of a person (details supplied). [15981/11]

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.

It is important to understand in relation to the SNA allocation process that SNA allocations are not permanent. The level of SNA support allocated to a school may be increased or decreased as pupils who qualify for SNA support enrol or leave a school. The NCSE has advised my Department that the pupil referred to by the Deputy has access to SNA support on a shared basis. The NCSE has also confirmed that it considers that the allocation of SNA support to the school is sufficient to meet the care needs of all of the pupils requiring such care support in the school.

Where SNA support is provided on a shared basis this means that SNA support is available to the student as required, to cater for the pupils' care needs each day. In such instances there will generally not be a set number of hours allocated in respect of each pupil. Rather, it is a matter for schools to allocate support as required, and on the basis of individual need, which allows schools flexibility in how the SNA support is utilised.

All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie. The NCSE have advised that they been in contact with the parents of the pupil referred to by the Deputy in relation to this matter and that they are available to discuss the matter further with them, if required.

School Transport

87. **Deputy Áine Collins** asked the Minister for Education and Skills the position regarding recent changes to Bus Éireann minimum numbers for continuation of bus services to a school (details supplied) in County Cork. [15983/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the Value for Money Review of the scheme.

These changes include the requirement that a minimum of 10 eligible pupils, residing in a distinct locality, will be required to retain or establish a school transport service from 2011/12 school year. As is currently the position, families of eligible pupils, for whom there is no school transport service available, may apply for the remote area grant towards the cost of making private transport arrangements.

Decisions in relation to the retention or establishment of school transport services will be made when all applications for school transport, for the 2011/12 school year, have been received and assessed.

School Accommodation

88. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if there are grants available for organisations that offer free grinds to leaving certificate students to help pay for the facilities at which they offer the grinds [15996/11]

Minister for Education and Skills (Deputy Ruairí Quinn): Schools are encouraged to make their facilities available to their local communities outside of school time. Decisions on such issues are matters for school boards of management. However, in such cases there would be a general expectation that the user would cover any additional costs arising such as insurance, heating lighting, cleaning and care-taking.

Organisations running free grinds for students are free to approach schools regarding the use of school premises. However, my Department is not in a position to provide funding for such initiatives in the current climate.

Schools Refurbishment

89. **Deputy Brendan Griffin** asked the Minister for Education and Skills when emergency works will be carried out at a school (details supplied) in County Kerry; and if he will make a statement on the matter. [15998/11]

Minister for Education and Skills (Deputy Ruairí Quinn): An application under my Department's Emergency Works Scheme to upgrade the school's heating system has been received from the school referred to by the Deputy. The purpose of the Emergency Works Scheme is solely for unforeseen emergencies or to provide funding to facilitate inclusion and access for special needs pupils. An emergency is deemed to be a situation which poses an immediate risk to health, life, property or the environment which is sudden, unforeseen and requires immediate

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action and in the case of a school if not corrected would prevent the school or part thereof from opening.

As the scope of works for this project is outside the terms of the Emergency Works Scheme it cannot be considered for emergency funding. The school has been informed of the decision.

School Staffing

90. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a second English teacher will be retained at a school (details supplied) in County Kerry as an additional language teacher; and if he will make a statement on the matter. [16002/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The school referred to by the Deputy, has lodged an appeal to the Primary Staffing Appeals Board for a review of its allocation for language support for the 2011/12 school year (Circular 15/2009).

The appeal will be considered by the Board at its next meeting which is scheduled for the end of June 2011. The school will be notified of the outcome within a few days thereafter. The Appeals Board operates independently of the Department and its decision is final.

School Transport

91. **Deputy Brendan Griffin** asked the Minister for Education and Skills if a school bus service will be maintained for a school (details supplied) in County Kerry; and if he will make a statement on the matter. [16003/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the Value for Money Review of the scheme.

These changes include the requirement that a minimum of 10 eligible pupils, residing in a distinct locality, will be required to retain or establish a school transport service from 2011/12 school year. As is currently the position, families of eligible pupils, for whom there is no school transport service available, may apply for the remote area grant towards the cost of making private transport arrangements.

Decisions in relation to the retention or establishment of school transport services will be made when all applications for school transport, for the 2011/12 school year, have been received and assessed.

Higher Education Grants

92. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the grants or assistance available to a UCD physiotherapy graduate who is pursuing a medical degree in a university (details supplied) which was their original career choice. [16022/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The decision on eligibility for a student grant is a matter for a student's grant awarding body. The Deputy will appreciate that, in the absence of the all of the relevant details contained in an application form, it is not possible for me to say if a candidate qualifies for a grant.

In general, students who previously pursued a course of study are not eligible for grant assistance for a second period of study at the same level, which appears to be the case here, irrespective of whether or not a grant was paid previously. Subject to the conditions of the

individual schemes, grants are available where students are progressing to a course at a higher level. The objective of this policy is to assist as many students as possible in obtaining one qualification at each level of study. However, 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. This information may be of assistance to the student concerned.

93. **Deputy Aengus Ó Snodaigh** asked the Minister for Education and Skills the reason physiotherapy and medicine are regarded as being at the same level, despite medicine being a longer degree course than physiotherapy, when assessing if a person may receive maintenance fees, tuition fee or other supports or grants whereas in the past a physiotherapy degree was seen as a route to access a medical degree; and if he will make a statement on the matter. [16023/11]

Minister for Education and Skills (Deputy Ruairí Quinn): The position is that under my Departments free fees and maintenance grants schemes students are eligible for free tuition fees and maintenance grant support respectively where they pursue an approved undergraduate course of study and do not already hold an undergraduate qualification. Therefore where a student already holds a level 8 qualification in physiotherapy such a student would not be eligible for free tuition fees or maintenance support should they subsequently commence a second level 8 course of study such as medicine.

A prerequisite for entry to Graduate Entry Medicine (GEM) programmes is an Upper Second or First Class Honours Bachelor's degree in any discipline, in addition to which applicants must sit the GAMSAT admissions test. Thus physiotherapy graduates with an Upper Second or First Class Honours degree, along with graduates of all other disciplines, are eligible to apply to graduate entry medicine programmes. GEM students are liable for the cost of their tuition fees, which are set by each individual institution. However, the fees of EU students are partly subsidised by the Irish State through the Higher Education Authority.

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. Details are available on the Revenue Commissioners' website at www.revenue.ie.

School Transport

94. **Deputy Michael Healy-Rae** asked the Minister for Education and Skills the position regarding transport in respect of a school (details supplied) in County Kerry. [16043/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 Budget by the previous Fianna Fáil-Green Party Government and derive from a recommendation in the Value for Money Review of the scheme. These changes include the requirement that a minimum of 10 eligible pupils, residing in a distinct locality, will be required to retain or establish a school transport service from 2011/12 school year. As is currently the position, families of eligible pupils, for whom there is no school transport service available, may apply for the remote area grant towards the cost of making private transport arrangements.

Decisions in relation to the retention or establishment of school transport services will be made when all applications for school transport for the 2011/12 school year have been received and assessed.

FÁS Training Programmes

95. **Deputy Michael McCarthy** asked the Minister for Education and Skills, further to Parliamentary Question No. 52 of 14 April 2011, if he will issue a progress report on his plans to close the FÁS programme; if it is still his intention to dismantle the programme; if so, when he expects this process to begin; the status of the review he is carrying out into the provision of training and education structures and activities by FÁS; and if he will make a statement on the matter. [16068/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): As outlined in a previous reply of 14 April 2011, as far as the training activities of FÁS are concerned, I am currently reviewing options regarding the provision of further education and training and the structures to support it.

School Transport

96. **Deputy Charlie McConologue** asked the Minister for Education and Skills if he will suspend any plans with regard to the closed school rule in accordance with pre-election commitments (details supplied); and if he will make a statement on the matter. [16071/11]

Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon): The changes to school transport services were announced in the 2011 budget by the previous Fianna Fáil-Green Party Government and derive from recommendations in the Value for Money Review of the scheme.

Given the major financial constraints facing the country, I regret that I cannot reverse the changes to school transport as announced by the previous Government. We all have to understand the legacy of economic mismanagement which the last Government gave to the country.

Industrial Development

97. **Deputy Michael Healy-Rae** asked the Minister for Jobs, Enterprise and Innovation the reason County Kerry does not qualify for job-related financial support from the Industrial Development Agency; and if he will make a statement on the matter. [16044/11]

Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton): Manufacturing and internationally traded service companies in all parts of the country are eligible on an equal basis for grant aid under the headings of R&D aid, Training aid, SME aid and Environment aid. These grants are available from IDA, Enterprise Ireland, Shannon Development or Údarás na Gaeltachta, depending on the region concerned and the size of the client company. Nowadays, most agency grants to companies are paid out under these headings. All grants are paid as a percentage of costs, including job costs, incurred by the industrial company in the project concerned, and costs which receive support under one heading are not eligible for grant aid under another heading.

One form of aid which was available at relatively high rates across the country in the past was regional aid. The availability of regional aid, and the grant rates applying, is determined by the EU Commission on a regional basis in accordance with objective economic criteria, mainly the GDP per head and the unemployment level in a region, as compared to the EU average for these criteria. In the period up to 2013, regional aid is not available to large companies in Ireland except in the Border, Midland and Western region, at 15%, and in the South East and Mid-West at 10%. Regional aid is available to small and medium sized companies in the same regions at higher rates. In Kerry, while regional aid is not available to large companies, it is available to small companies at 30% and to medium-sized companies at 20%.

Project costs which receive aid under the regional aid heading are not eligible for aid under the other headings. Since regional aid rates are now relatively low in all regions, there is a tendency to use the R&D aid, Training aid, SME aid and Environment aid headings instead, and most company grants are now paid under these headings. The overall amount of grant aid paid to companies has not been reduced as amounts payable under the regional aid heading have fallen.

Social Welfare Code

98. **Deputy Barry Cowen** asked the Minister for Social Protection when the commission on taxation and social welfare will be established. [15464/11]

Minister for Social Protection (Deputy Joan Burton): Creating jobs and tackling poverty are two of the key challenges that we face. It is essential that our tax and social protection systems play their part in addressing these problems and to ensure that work is worthwhile. As provided for in the Programme for Government, we will seek to harness expert opinion and experience to consider a number of issues arising out of the operation and interaction of the tax and social welfare systems. I hope to make an announcement in relation to the establishment of an advisory group to do this shortly.

Social Welfare Benefits

99. **Deputy Peter Mathews** asked the Minister for Social Protection if mortgage relief is available in respect of a person (details supplied); and if she will make a statement on the matter. [15964/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has stated that there is no record of an application for mortgage interest supplement from the person concerned. If the person concerned wishes to make an application for mortgage interest supplement she should contact the community welfare officer at her local health centre.

Flood Relief

100. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection when a family (details supplied) will be relocated in view of the high risk of flooding to their property; and if she will make a statement on the matter. [15966/11]

101. **Deputy Éamon Ó Cuív** asked the Minister for Social Protection when families at a location (details supplied) in County Galway will be relocated in view of the high risk of flooding to their properties; and if she will make a statement on the matter. [15967/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 100 and 101 together.

The Government has provided various types of support to people affected by the November 2009 flooding. Humanitarian Aid payments were made, both in the immediate aftermath of the flooding and subsequently to enable eligible households to resume living at their home. Flood relief works were also undertaken in some of the affected areas and other works are at an advanced state of preparation. Discussions took place with representatives of the insurance industry regarding giving households access to appropriate house insurance at a reasonable cost.

The Government is aware that for various reasons, a small number of people have been unable to resume living at their homes and others, while they have resumed living at their

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homes, are still faced with significant problems arising from the flooding. The Government is also aware that some householders who are continuing to experience significant housing problems as a result of the November 2009 flooding are considering the possibility of relocating rather than resuming living at their original home.

In light of this, the Government has decided that support may be available in such cases where:

1. Serious and permanent damage has been caused to the family home by the November 2009 flooding;
2. There is a high probability of a recurrence of serious flooding because of flood depth, duration or frequency on a scale that could further damage the family home;
3. The house cannot be protected from flooding at an economically feasible cost;
4. The household is unable to secure insurance against flooding as a result of the November 2009 floods.

Support will only be considered for relocation in cases where the cost of remedial works would exceed the cost of relocation, as determined by the Office of Public Works (OPW). The following considerations will also apply:

1. The gross cost of relocation underpinning the level of support provided will not exceed the cost of providing a reasonable home in the area in question, as determined by the local authority;
2. The existing house must be demolished and the site must be rehabilitated, which may require planning permission from the local authority;
3. If the household has settled a claim with their insurance company, the funds provided in settlement of that claim will be taken into account in determining the amount of funding, if any, provided for relocation. Beneficiaries will be required to instruct their insurance company to provide information in that regard.

The households in question have been visited by officials from the Department and a report of their individual circumstances has now been completed. The OPW were requested to provide a detailed report for each household outlining the problems in the areas in question, what works if any have been completed in the area or are planned for the area and to provide an assessment of the likelihood of future flooding having regard to the works that have already taken place or are scheduled to take place. Following a recent meeting between representatives from my Department and the OPW reports on further households have now been received from the OPW. These reports are being considered in my Department at present and any outstanding matters relating to the reports are being pursued with the OPW. When all of this information is received my Department will be in a position to make decisions on the affected households.

Social Welfare Appeals

102. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when an oral hearing for disability allowance will take place in respect of a person (details supplied) in County Kildare; the likely outcome of this decision; and if she will make a statement on the matter.

[15977/11]

103. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when an oral hearing for disability allowance will take place in respect of a person (details supplied) in County Kildare; the likely outcome of this decision; and if she will make a statement on the matter. [15985/11]

Minister for Social Protection (Deputy Joan Burton): I propose to take Questions Nos. 102 and 103 together.

The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 12 January 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 24 March 2011 and the appeal will be referred to an Appeals Officer, in due course, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing.

Each appeal is determined on its merits and, until the matter is finalised by an Appeals Officer, it is not possible to state the likely outcome. 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

104. **Deputy Bernard J. Durkan** asked the Minister for Social Protection when a rent supplement payment will issue in respect of a person (details supplied) in Dublin 7; and if she will make a statement on the matter. [15987/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that the person concerned had previously been in receipt of rent supplement but his payment was suspended as his primary social welfare payment ceased. The HSE further advised that they wrote to the person concerned in November 2010 requesting him to contact the community welfare officer. The person concerned failed to respond to this request and his rent supplement claim was subsequently closed.

The HSE further advised that a new application for rent supplement was made on 18 April 2011. The HSE has requested further information from the person concerned in relation to his income source and his whereabouts since November 2010 and also in relation to his entitlement to a social welfare payment. A decision will be made on his application when the information has been provided.

105. **Deputy Seán Ó Fearghaíl** asked the Minister for Social Protection when an application for rent supplement will be approved in respect of persons (details supplied) in County Kildare; and if she will make a statement on the matter. [16025/11]

Minister for Social Protection (Deputy Joan Burton): The Health Service Executive (HSE) has advised that they have requested further information in relation to the tenancy and the landlord's PPSN from the persons concerned in order to process their application for rent supplement. The HSE further advised that a decision will be made on their application when the information has been provided.

Social Welfare Code

106. **Deputy Michael McGrath** asked the Minister for Social Protection if the assessment

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guidelines used by a medical assessor when considering domiciliary care allowance appeals are publicly available. [16029/11]

Minister for Social Protection (Deputy Joan Burton): In advance of the transfer of the domiciliary care allowance (DCA) scheme to this Department, an expert medical group was established to agree a set of consistent and objective guidelines for use nationally in determining eligibility of children for the scheme. This group was established as there were no agreed medical guidelines for the scheme while it was administered by the HSE. The group was chaired by the Department's Chief Medical Advisor and comprised senior medical personnel from the HSE as well as eminent professionals in the areas of physical disabilities which affect children and child psychiatry/psychology. The primary purpose was to agree a set of consistent and objective guidelines for use in determining eligibility for the scheme. The report of the Group was reviewed independently by external medical experts.

The report of the Expert Medical Group is available from the Department on request. A copy will be forwarded to the Deputy.

Question No. 107 withdrawn.

Social Welfare Appeals

108. **Deputy Tom Fleming** asked the Minister for Social Protection when a decision will issue on the one-parent family application in respect of a person (details supplied) in County Kerry. [16035/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer having fully considered all the evidence, including that adduced at oral hearing, has allowed the appeal of the person concerned. The person concerned has been notified of the decision.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Code

109. **Deputy Joanna Tuffy** asked the Minister for Social Protection if her attention has been drawn to the fact that unemployed persons who were previously in receipt of jobseeker's benefit but deemed ineligible for jobseeker's allowance because of their spouses earnings are not permitted to participate in the jobs initiative scheme; her plans to rectify this anomaly; and if she will make a statement on the matter. [16040/11]

Minister for Social Protection (Deputy Joan Burton): The purpose of the Tús scheme 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. 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 jobseeker's allowance, and

- Be fully unemployed. These provisions are to ensure a targeted approach to those currently affected by long-term unemployment.

I have no plans to amend the criteria at this time. The operation of Tús, including the eligibility criteria, will be kept under review and will inform the evaluation process in due course.

Social Welfare Appeals

110. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when a farm assist appeal will be finalised in respect of a person (details supplied); or if finalised, the result of the appeal; and if she will make a statement on the matter. [16053/11]

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 30 May 2011 and the Appeals 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.

111. **Deputy Michael Healy-Rae** asked the Minister for Social Protection the reason for the delay on a decision on carer's allowance in respect of a person (details supplied) [16057/11]

Minister for Social Protection (Deputy Joan Burton): I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all the evidence, disallowed the appeal of the person concerned by way of summary decision. The person concerned has been notified of the Appeals Officers decision. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

112. **Deputy Charlie McConalogue** asked the Minister for Social Protection when an appeal will be heard in respect of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [16059/11]

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 March 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

113. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if her attention has been drawn to the fact that all documentation has been submitted to facilitate early payment of rent support in the case of a person (details supplied) in County Dublin; and if she will make a statement on the matter. [16092/11]

Minister for Social Protection (Deputy Joan Burton): The position remains as advised in question number 248 which I answered for the Deputy on 17 May 2011. The Health Service Executive (HSE) has advised that it has terminated payment of rent supplement in this case

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as the person concerned failed to provide the financial and foreign travel documentation requested by the community welfare officer. The HSE further advised that the person concerned appealed the decision to the HSE Appeals Office where the decision was upheld. The HSE further advised that the person concerned has appealed the decision to the Social Welfare Appeals Office. The Social Welfare Appeals Office has advised that no decision has been made on his appeal to date.

Social Welfare Benefits

114. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when one-parent family allowance will be paid in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [16093/11]

Minister for Social Protection (Deputy Joan Burton): One parent family payments issued to the person concerned from 3 June 2004 to 11 May 2011. Following a review of her entitlement, her claim was disallowed from 12 May 2011 on the grounds that she and another person are living together as husband and wife. Her file is currently with an inspector who will review her circumstances and send a report to a deciding officer for a review of the decision to disallow her payment. In the event that the current decision to disallow is unchanged by the deciding officer her appeal will be forwarded to the social welfare appeals office for consideration. The person concerned applied for supplementary welfare allowance (SWA) from 19 May 2011. Her claim has been disallowed. She has been informed of her right to appeal. No appeal has been made to date in relation to the decision to disallow her SWA claim.

Wildlife Conservation

115. **Deputy Michael Healy-Rae** asked the Minister for Arts, Heritage and the Gaeltacht if financial assistance or grants are available from the Government or an EU source for grouse management; and if he will make a statement on the matter. [16066/11]

Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan): My Department provides advice and support to local gun clubs, farmers and landowners in conserving the red grouse in suitable habitats around the country. In the past, my Department has provided some limited funding to gun clubs around the country to assist them in red grouse conservation projects but such funding is now restricted by financial constraints. It is open to organisations to submit projects to the EU LIFE+ fund for species restoration projects, but these require matching funds which are difficult to provide at this time. Finally I should add that my Department provided €3,500 from the Biodiversity Awareness Fund for a national conference on the conservation status of red grouse in 2010.

Alternative Energy Projects

116. **Deputy Éamon Ó Cuív** asked the Minister for Communications, Energy and Natural Resources when the refits announced in May 2010 will be implemented and fully available to renewable energy projects; and if he will make a statement on the matter. [15974/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The proposed REFIT support scheme, which is aimed at supporting the use of biomass in electricity generation and heat production, was submitted to the EU Commission in Brussels for State Aid clearance in November 2010. My Department has been in regular contact with the Commission on this matter and is confident that the final stages of the clearance process by the Commission have been reached.

Telecommunications Services

117. **Deputy Heather Humphreys** asked the Minister for Communications, Energy and Natural Resources when the residents of Dartry, Rockcorry, County Monaghan may expect to have broadband; and if he will make a statement on the matter. [16031/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The provision of broadband services is, in the first instance, a matter for private sector service providers operating in Ireland's fully liberalised telecommunications market. Broadband services are provided by private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite. Details of broadband services available in each county can be found on ComReg's website at www.callcosts.ie.

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) represents such an intervention. EU State Aid and competition rules govern how states can intervene in areas where there are existing service providers operating. Accordingly, the NBS is prohibited from providing a service in served areas where to do so would give rise to an unacceptable level of market distortion.

The area referred to in the Deputy's question was deemed to be adequately covered by existing commercial operators and was therefore excluded from the scheme. It continues to be a priority of the Government that there will be broadband coverage across the entire country. I am aware that there continues to be a small percentage of premises throughout the country that are not currently capable of receiving broadband services. This is primarily due to technical and other reasons (suitability of a telephone line, distance from an enabled exchange, no line of sight etc.).

The European Commission has set aside a portion of the European Economic Recovery Programme (EERP) funding for rural broadband initiatives. Using this funding, which will be augmented by an Exchequer contribution, I have recently launched a Rural Broadband Scheme. This scheme aims to identify the remaining individual premises in rural Ireland, outside of the NBS areas that are unable to obtain a broadband service and to provide a basic broadband service to those premises, where requested. Information in relation to acceptance of applications and the process of qualification under the scheme is available on my Department's website (www.dcenr.ie) or through contacting my Department on lo-call 1850 678100. In addition, under the NewERA proposals in the Programme for Government, 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.

On 13 June, I convened a meeting of the Next Generation Broadband Taskforce (NGBT), which I chair. The Task Force comprises the CEOs of all of the major telecommunications companies currently operating in the Irish market and CEOs of some Internet Service Provider companies. Its purpose is to discuss how best to deliver the optimal policy environment and to identify a roadmap for the speedy delivery of high speed broadband across Ireland. The Taskforce will consider issues such as appropriate targets, investment plans, and the role of Government policy and actions in driving and facilitating investment. I expect that the NGBT will be helpful in terms of identifying the optimal policy position to deliver wider customer access to high-speed broadband.

118. **Deputy Michael Healy-Rae** asked the Minister for Communications, Energy and Natural Resources if he will clarify the position regarding the commitment to roll out broadband; if it has ceased for the present; and if he will make a statement on the matter. [16065/11]

Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte): The provision of broadband services is, in the first instance, a matter for private sector service providers operating in Ireland's fully liberalised telecommunications market. Broadband services are provided by private service providers over various platforms including DSL (i.e. over telephone lines), fixed wireless, mobile, cable, fibre and satellite.

Details of broadband services available in each county can be found on ComReg's website at www.callcosts.ie.

In cases of market failure the Government will intervene, where it is appropriate and possible to do so. The National Broadband Scheme (NBS) and the recently-launched Rural Broadband Scheme (RBS) represent such intervention.

In line with its contractual commitments, 3 has completed its build of the network to support the NBS and broadband services are now available in 100% of NBS areas.

My Department is currently accepting and processing applications under the RBS and will continue to do so until the end of July 2011. I hope that eligible applicants under this scheme will be able to avail of broadband services as soon as possible thereafter.

The issue of the sale of land by individuals to telecommunications service providers is not a matter for which I have any role or function.

Local Authority Housing

119. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the full extent of local authority housing applicants currently on waiting lists for rehousing; the extent to which it is planned to provide houses for persons thereby eliminating the need for rent support which in turn prevents such applicants from obtaining employment which would result in loss of rent support; his plans to address these issues; and if he will make a statement on the matter. [15863/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): My Department does not hold information on the number of households on local authorities waiting lists. This figure continuously fluctuates as households on the list are allocated housing and new households apply for housing support.

A statutory assessment of housing need is carried out every three years by all housing authorities. The last assessment took place in 2008 and indicated that there were 56,249 households in need of social housing support. This assessment also provides information on the waiting period for households seeking social housing support. Detailed information on this assessment, including a breakdown by housing authority, is available on my Department's website — www.environ.ie. Local authorities are currently finalising the 2011 statutory housing needs assessment, the results of which will be published in due course.

I am currently finalising a review of housing policy generally to examine how best the needs of those on housing waiting lists can be met in the context of the further development of sustainable communities, while taking account of new housing options and the level of funding and resources available. I have now published the outcome of this review as a new housing policy framework statement.

Social and Affordable Housing

120. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the concerns of families with shared ownership mortgages who are currently at a serious disadvantage arising from a situation of

almost nil equity in their homes despite paying a mortgage on half the value of the property and rental on the remainder of property for several years; if it is intended to examine this issue with a view to resolution; and if he will make a statement on the matter. [15864/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Under the shared ownership scheme houses are acquired by a local authority and leased to the shared owner, who purchases at least 40% of the value of the house and rents the remaining equity from the local authority. The local authority finances the transaction by borrowing from the Housing Finance Agency. The purchaser may buy out the local authority's share at any time and the only requirement on them to do so is that they do it within the 25/30 year timeframe.

As the shared ownership scheme commenced in 1991, the first of the transactions are approaching the end of their term and local authorities have brought to my attention some cases where the household may not be in a position to buy out the local authority's share within that timeframe. The terms of the shared ownership scheme are kept under review by my Department and this particular matter will be considered in this context. For transactions commenced on or after 1 January 2003, the annual rent is calculated at 4.3% of the value of the local authority equity and the rent is increased by a fixed 4.5% on 1 July each year. The rent is used to repay the cost of the local authority equity to the Housing Finance Agency and, depending on the level of mortgage interest rates obtaining, any surplus may also be used to pay down the capital outstanding on the local authority share at the end of each year. Local authority mortgage holders — including those who purchased under shared ownership — also benefit from extremely keenly priced interest rates which generally run at around 0.5% lower than the best rates available in the market.

Further support is available through rent subsidy. This is available to households purchasing under the Shared Ownership Scheme who have a gross household income of up to €28,000 per annum in the preceding tax year. The level of subsidy ranges between €2,550 for incomes up to €13,000 and €1,050 for incomes up to €28,000.

Waste Disposal

121. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the total amount spent to date on remedial work associated with illegal, toxic or otherwise uncontrolled or unregulated dumping at various locations throughout the country; the extent of further expenditure, if any required; and if he will make a statement on the matter. [15865/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Information on the total amount spent to date — which would include expenditure from other competent authorities such as the EPA or the local authorities and is therefore not funded directly by my Department — is not available. However, my Department has provided funding of some €93.5 million to date for a variety of legacy activities associated with the remediation of illegal sites, the remediation of former landfills, the repatriation of illegal waste deposited in Northern Ireland and other actions in response to the judgment against Ireland by the European Court of Justice in Case C494/01. While further significant expenditure in these areas will arise over the coming years, it is not possible to quantify this precisely as the costs involved will depend on a range of factors, including the quantities of waste and the approach to remediation required.

Water Charges

122. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government if it is intended to licence, regulate or charge for or impose other restrictions on persons who have access to private ground water supply; the origins of such proposals, if any; and if he will make a statement on the matter. [15866/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Framework Directive requires Member States to regulate the abstraction of surface and ground waters where this abstraction would have a significant impact on water status. However, households with private wells for domestic consumption are considered to be insignificant in terms of the volumes of water they typically abstract.

In order to address a commitment in the Programme for Government, my Department is preparing proposals for the installation of meters on households connected to a public water supply.

These proposals will be submitted to the Government for consideration as soon as possible and further details will be made available at that stage subject to their approval by Government.

Community Development

123. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the nature of community support likely to be administered through his Department in the future; and if he will make a statement on the matter. [15867/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): My Department is responsible for a range of programmes to support communities, including the Local and Community Development Programme which tackles poverty and social exclusion in disadvantaged communities; the RAPID Programme (Revitalising Areas through Planning Investment and Development) which tackles the spatial concentration of poverty and social exclusion in designated areas; and the Rural Development Programme 2007-2013 which implements measures to improve the quality of life in rural areas and facilitate the diversification of the rural economy.

All programmes, and associated financial provisions, will be considered in the context of the expenditure review processes now under way across Departments generally.

Fire Service

124. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the future or intended operational structures for the part-time fire services operated by the various local authorities having particular regard to the need to retain such emergency services at optimum strength at all times; and if he will make a statement on the matter. [15868/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs, the provision of a premises and the making of such other provisions as it considers necessary or desirable, is a statutory function of individual fire authorities under the provisions of the Fire Services Act 1981. My Department supports fire authorities through the setting of general policy and guidance, and the provision of capital funding, including the recoupment (within the overall funding available) of costs incurred by fire authorities in relation to the approved purchase of fire appliances and equipment.

Fire services are provided by the 37 statutorily designated fire authorities, and are accordingly structured around the principal local authorities. Dublin, Cork, Galway, Limerick and Waterford cities have full-time fire services, and Drogheda and Dundalk have a combined full-time and retained service. All other fire services are provided by retained services. The retained services provide an excellent model of service delivery where, to a substantial degree, a contingent rather than continuous capability is required. Requests from local authorities for staffing in the fire services have been approved by my Department within the Employment Control Framework.

Although structured around the principal local authorities, for operational purposes there is a sharing of services among a number of fire authorities, such as in Dublin, Galway, Louth and Westmeath. The fire services have been to the fore also in using the “shared services” concept, and have provided both training and mobilisation and communications facilities on a regional basis for some years now. I have recently approved a new programme of joint procurement of fire appliances which further extends this concept.

The national blueprint and programme for developing and improving the efficiency and effectiveness of Fire Services is set out in the recently agreed Irish Fire Services National Development Framework 2010-2015. The Framework sets out policies and key actions in the areas of Fire Services Role in Society; National Processes and Standards; Staff Learning and Development; Quality Assurance Systems and Reporting Performance; and Service Infrastructure and Legislative Support.

Local Authority Housing

125. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the number of local authority houses likely to be built or acquired from existing housing stock by each local authority in the current or future years; and if he will make a statement on the matter. [15869/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): My Department is currently compiling projected output figures from housing authorities for 2011. Once complete the information requested will be forwarded to the Deputy as soon as possible.

Environmental Policy

126. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government his preferred options in respect of environmental protection in the future; the degree to which the Environmental Protection Agency or similar body is likely to assume responsibilities in this area with current or extended powers; and if he will make a statement on the matter. [15870/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): A comprehensive set of regulatory and other arrangements are in place, operating through the Environmental Protection Agency (EPA), local authorities, relevant Government Departments and other bodies, to support the highest standards of environmental protection in Ireland. Future developments in relation to environmental protection matters will be influenced by a range of factors, including the relevant provisions of the Programme for Government and the outcome of my consideration of the report of the EPA Review Group which was recently presented to me and was published, including on my Department’s website *www.environ.ie*, on 30 May 2011.

Water Services

127. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the total existing storage capacity for domestic drinking water; the degree to which this has been enhanced in each of the past five years to date in line with requirements; the extent to which it is intended to make further and extra provisions in the future; and if he will make a statement on the matter. [15871/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

The information requested is being compiled on an annual basis and will be forwarded to the Deputy when available. In the period, 2000 to 2010 (inclusive), over €5 billion has been invested in the water services sector; this led, inter alia, to an increase in drinking water storage capacity by a level equivalent to the needs of a population of 1,630,000. Details of future investment in water supply are set out in my Department's Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library.

Water and Sewerage Schemes

128. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Community and Local Government the full extent of requirements in respect of water and group water schemes requested by the local authorities in County Kildare; the time such requests have been awaiting approval; when such schemes were first submitted by the local authority; and if he will make a statement on the matter. [15872/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan):

Water services authorities, including Kildare County Council, were asked in July 2009 to submit an assessment of needs for water and sewerage services to my Department. In preparing their assessments, water services authorities were required to take into consideration key environmental and economic criteria in prioritising contracts and schemes to be progressed in their areas. The assessments of needs submitted by Kildare County Council and the other water services authorities were subsequently appraised in my Department in the context of the funds available and key criteria that complemented those used by the authorities.

These processes were a key input to the contracts and schemes included in my Department's Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library. The Programme includes contracts under construction and to commence to the value of over €172 million in County Kildare during the period of the Programme.

An integral part of the Water Services Investment Programme 2010-2012, is the review process under which the Programme will be reviewed and updated annually to allow for any re-prioritisation required. My Department wrote to all water services authorities at the end of March 2011 in relation to the annual review. The deadline for receipt of returns was 21 April 2011. Given the short time which has passed since the extensive review of the Programme was completed in 2009/2010, and having regard to the ongoing pressure on Exchequer funding generally, it is anticipated that only minor adjustments will be made to the Programme at this stage.

Kildare County Council has submitted an application to my Department under the review mechanism, which is being carried out using strictly defined criteria. The Council's application is under examination, together with review applications from all water services authorities, and a decision will be made in the coming weeks.

Responsibility for the administration of the Rural Water Programme, which includes group water schemes, has been devolved to local authorities since 1997. The selection and approval

of individual schemes for advancement and funding under the programme, within the overall priorities set by my Department and subject to the block grant allocations provided, is therefore a matter for the local authorities. On the basis of information submitted in January 2011, Kildare County Council's 2011 requirements for group water schemes was €927,000. In addition, a submission received from Kildare County Council in January 2011 indicates a requirement of almost €900,000 for small public water supply schemes under the devolved Rural Water Programme.

Social and Affordable Housing

129. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government if he has engaged with the National Asset Management Agency on the use of its properties for social housing when appropriate. [15918/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Two of the key challenges for the housing sector at present are the oversupply of housing in certain areas, including in respect of unfinished estates, and the need sustainably to meet the increasing demand for social housing in the context of a severely restricted resource environment.

There are clear linkages between the roles of my Department and the National Asset Management Agency (NAMA) in addressing these challenges and there is significant potential to align the objectives of the two organisations. My Department has been engaging with representatives of NAMA, and since coming into office I have also met with the Chairman and the CEO of NAMA to discuss options for securing a social dividend through the acquisition of suitable residential units for social housing purposes, while providing a return in line with NAMA's mandate. I anticipate that this engagement will see the delivery of new social housing in the short term and I am progressing this agenda as a matter of urgency.

Local Government Charges

130. **Deputy Eoghan Murphy** asked the Minister for the Environment, Community and Local Government the classes of property that may fall under the waiver scheme for commercial rates under the provisions of the Local Government (Rates) Act 1970; and if he has considered extending this scheme to classes or stages of business activity. [15922/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority.

Under the provisions of the Local Government (Rates) Act 1970, a rating authority may make and carry out a scheme providing for the waiver by the authority of all or a portion of commercial rates due by ratepayers in respect of a specified class or classes of property. The making of such a scheme is subject to my consent as Minister for the Environment, Community and Local Government.

Unfinished Housing Developments

131. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government if funding will be provided to Cavan County Council to carry out necessary work to unfinished housing estates; and if he will make a statement on the matter. [15930/11]

132. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government if funds will be made available to Kerry County Council to tackle unfinished housing developments; and if he will make a statement on the matter. [15933/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): I propose to take Questions Nos. 131 and 132 together.

The unfinished housing developments safety initiative was introduced earlier this year to deal with the problem of the health and safety issues presented by unfinished estates. My Department has allocated an initial €5 million to allow local authorities to identify such estates and make application for funding to alleviate the problem.

Currently, local authorities are conducting this survey and applying for funds as necessary. To date almost half of local authorities have made applications and funding has been made available in respect of 43 applications. An application for funding has been received from Cavan County Council and is being processed at present. No application has yet been received from Kerry County Council, but should one be submitted it will be processed and evaluated as soon as possible.

Planning Issues

133. **Deputy John Deasy** asked the Minister for the Environment, Community and Local Government if he will make it clear to local authorities that the new amendment section 28 of the Planning and Development (Amendment) Act 2010 allows planning permission to be extended in certain situations, including that of one-off housing, when an environmental impact assessment was not required; and if he will make a statement on the matter. [15975/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): Section 42 of the Planning and Development Act 2000 provides that, on application, the duration of a planning permission (normally 5 years) shall be extended, subject to certain requirements being complied with, including that substantial works have been carried out before the expiration of the original permission.

Section 28 of the Planning and Development (Amendment) Act 2010 amended Section 42 of the 2000 Act to provide additional grounds for extension of the duration of planning permission. The amended section 42 provides that planning permission may be extended where substantial works have not been undertaken, or where the development has not commenced, in cases where a planning authority is satisfied that there were considerations of a commercial, economic or technical nature beyond the control of the applicant which substantially militated against either the commencement of development or the carrying out of substantial works pursuant to the planning permission.

This latter provision is subject to the following qualifications: that the planning authority is satisfied that there have been no significant changes in the development objectives in the development plan or in regional development objectives in the regional planning guidelines for the area of the planning authority since the date of the permission such that the development would no longer be consistent with the proper planning and sustainable development of the area; that the planning authority is satisfied that the development would not be inconsistent with the proper planning and sustainable development of the area having regard to any guidelines issued by the Minister under section 28 of the Act, notwithstanding that they were so issued after the date of the grant of permission in relation to which an application is made under this section, and; that the planning authority is satisfied where the development has not commenced, that an environmental impact assessment, or an appropriate assessment, or both

of those assessments, if required, was or were carried out before the permission was granted. This provision applies to all permissions, including those for one-off rural houses.

Water Charges

134. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government if a waiver system will be put in place for persons on low income when water charges are introduced; and if he will make a statement on the matter. [16015/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Programme for Government provides for the introduction of a fair funding model to deliver clean and reliable water. The objective is to install water meters in all households on public water supplies and move to a charging system whereby households will be charged based on usage above a free allowance. My Department is currently preparing a strategy to implement these proposals and it will be considering the potential impacts on low income households and other disadvantaged groups in consultation with the Department for Social Protection.

Departmental Funding

135. **Deputy Seán Ó Fearghaíl** asked the Minister for the Environment, Community and Local Government if he has received an application from Kildare County Council for any additional funding for works carried out in connection with the recent visit of Queen Elizabeth II; the amount sought; if funding was approved; and if he will make a statement on the matter. [16016/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Kildare County Council was allocated €15,000 under the Civic Responsibility Week Grant Scheme.

The purpose of this once-off grant scheme was to support Civic Responsibility Week which ran from Monday 9 May to Sunday 15 May 2011 and was designed to precede the State visits of Queen Elizabeth II and President Barack Obama.

A total of €350,000 from the Environment Fund was allocated to local authorities to support a range of environmental projects, including awareness raising and the visual enhancement of areas with high amenity value which would contribute to Ireland's clean, green image in the immediate period leading up to and during the recent State visits.

136. **Deputy Seán Ó Fearghaíl** asked the Minister for the Environment, Community and Local Government when he will announce his decision on the application for refurbishment and renewal works at a park (details supplied) in County Kildare. [16017/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): The project in question is part of my Department's Remedial Works Programme 2009-2011, with approval and a preliminary budget issuing to Kildare County Council in June 2010, subject to specific terms and conditions.

Following an ongoing series of meetings and other communications between my Department and Kildare County Council, a submission was recently received from the Council which included design, costing and phasing details. This has been examined by my Department, and approval-in-principle for Phase 1 of the project is due to issue from my Department this week. It will then be a matter for Kildare County Council to submit a masterplan for this Phase. My Department and the Council continue to work closely together towards the project proceeding before the end of 2011.

Water and Sewerage Schemes

137. **Deputy Seán Ó Fearghaíl** asked the Minister for the Environment, Community and Local Government when he will announce approval of an application by Kildare County Council to award a contract for the construction of a new sewerage collection network at Kildare town; and if he will make a statement on the matter. [16018/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): The Water Services Investment Programme 2010-2012, a copy of which is available in the Oireachtas Library, provides for the development of a comprehensive range of new water services infrastructure in County Kildare. Two contracts for the Kildare Sewerage Scheme are included in the Programme amongst the list of contracts in the county to start in the period 2010-2012.

The Wastewater Treatment Plant Design/Build/Operate contract for the Kildare Sewerage Scheme is currently at construction. Kildare County Council's contract documents for the sewer network contract are under examination in my Department and a decision will be conveyed to the Council as soon as possible.

Traveller Accommodation

138. **Deputy Paschal Donohoe** asked the Minister for the Environment, Community and Local Government if he has had contact with local authorities in respect of improved Traveller accommodation; and if he will make a statement on the matter. [16027/11]

Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose): In accordance with the provisions of the Housing (Traveller Accommodation) Act, 1998, responsibility for the assessment of the accommodation needs of Travellers and the preparation, adoption and implementation of multi-annual Traveller accommodation programmes, designed to meet the accommodation needs of Travellers, rests with individual housing authorities. My Department's role is to ensure that there is an adequate legislative and financial system in place to assist the authorities in providing such accommodation.

The current round of Traveller accommodation programmes will run until 2013 and local authorities have been requested to carry out a review of their programmes by 31 December 2011. My Department oversees the implementation, through the local authorities, of the programmes. Regular contact is maintained with the local authorities in regard to the provision of appropriate and high-quality Traveller specific accommodation and refurbishment works, funded through my Department, in addition to Traveller housing needs being met through the mainstream social housing programme. I am also advised by the statutory National Traveller Accommodation Consultative Committee in relation to Traveller accommodation matters more generally.

Local Government Charges

139. **Deputy Dominic Hannigan** asked the Minister for the Environment, Community and Local Government if commercial rates may be paid through direct debit on a weekly or monthly basis; if he issues guidelines to councils on this method of payment; if not, his plan to bring in guidelines that could be issued to local councils to facilitate businesses with this option; and if he will make a statement on the matter. [16039/11]

Minister for the Environment, Community and Local Government (Deputy Phil Hogan): Local authorities are under a statutory obligation to levy rates on any property used for com-

mercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority.

Commercial rates are legally payable in two moieties; the first moiety and arrears are payable on the date of the making of the rate and the second moiety is payable on 1 July. In practice local authorities facilitate payments of commercial rates by instalments including by direct debit.

I recognise that these are difficult economic times for many businesses and I will continue to keep all matters relating to rates under regular consideration in my Department.

Visa Applications

140. **Deputy Éamon Ó Cuív** asked the Minister for Justice and Equality his policy regarding the issuing of visas to students from Colombia who wish to study English here in view of the employment it could create; and if he will make a statement on the matter. [15969/11]

Minister for Justice and Equality (Deputy Alan Shatter): Colombian nationals require visas for entry to Ireland.

The student visa guidelines may be accessed on the web-pages of the Irish Naturalisation and Immigration Service, www.inis.gov.ie. These guidelines apply to all visa required nationals who wish to travel to Ireland for the purposes of study. I would also direct the Deputy's attention to the Guidelines for Language and Non-Degree Programme Students, which are available from the INIS web-pages.

Appointments to State Boards

141. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if, in view of the need for and commitment to greater accountability and transparency in the selection and appointment of board members, he will take into account the recommendations of the 171 members of the Equality and Rights Alliance in the appointment of the board of the Equality Authority; and if these recommendations will be implemented in the appointment of the upcoming new board this summer. [15984/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Government has decided that new arrangements will be put in place for the making of appointments to State boards and bodies, such as the Equality Authority. In future, Departments will invite expressions of interest on their websites for vacancies on the boards of bodies under their aegis. Ministers will not necessarily be confined to those who make expressions of interest, but will ensure all appointees have the relevant qualifications.

The Deputy can take it that relevant appointments for which I am responsible will be made in due course in line with the above arrangements.

Garda Transport

142. **Deputy Joanna Tuffy** asked the Minister for Justice and Equality the position regarding the number of patrol cars currently in service to An Garda Síochána; if the numbers have dropped on the numbers in service in previous years; if his attention has been drawn to the fact that Garda stations under current restrictions are not permitted to replace patrol cars that have to be scrapped because they are no longer roadworthy and that this policy will diminish the work An Garda Síochána is doing in local communities in the detection and prevention of crime; and if he will make a statement on the matter. [15992/11]

143. **Deputy Joanna Tuffy** asked the Minister for Justice and Equality the steps he will take to ensure that Garda stations in Dublin Mid-West have their necessary complement of patrol cars, those stations not being permitted to replace old patrol cars that are no longer road worthy due to current restrictions; and if he will make a statement on the matter. [15993/11]

Minister for Justice and Equality (Deputy Alan Shatter): I propose to take Questions Nos. 142 and 143 together.

I am advised by the Garda authorities that in May this year the Garda fleet consisted of 2,755 vehicles. This represents an increase on the corresponding figures for December 2008 and December 2007 which were 2,451 and 2,254 respectively.

The detailed allocation of Garda resources, including transport, is a matter for the Garda Commissioner to decide in accordance with his identified operational requirements and priorities. Responsibility for the efficient deployment of all official vehicles in a Division is vested in the Divisional Officer who may switch vehicles from station to station as requirements demand. With regard to Garda stations in Dublin Mid West, the Garda authorities are satisfied that a full complement of patrol vehicles, both marked and unmarked, is available to meet Divisional needs.

The allocation of vehicles is kept under ongoing review to ensure the most efficient deployment of Garda resources.

Magdalene Laundries

144. **Deputy Joanna Tuffy** asked the Minister for Justice and Equality the position regarding the United Nations Committee on Torture Report recommendations in respect of the Magdalene laundries; the steps he will take in respect of this report; and if he will make a statement on the matter. [15994/11]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Parliamentary Question No. 478 on Wednesday 15th June, 2011:

“The UN Committee against Torture (UNCAT) issued its concluding observations on Monday 6th June following Ireland’s first examination in Geneva last month under Article 19 of the UN Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment. The Committee in its statement acknowledged Ireland’s commitment to engage with them in a constructive manner and indeed commended Ireland for significant progress in recent years in a number of areas such as the prevention of domestic violence and human trafficking. Its concluding observations cover a wide range of areas from prison conditions to the total prohibition of corporal punishment, the Magdalen Laundries, the follow up of the Ryan Report and the processing of applications for refugee status, all of which impact on the remit of several Government Departments.

Specifically, in relation to the Magdalen Laundries, the Committee “recommended that the State should institute prompt, independent, and thorough investigations into all allegations of torture, and other cruel, inhuman or degrading treatment or punishment that were allegedly committed in the Magdalen Laundries and, in appropriate cases, prosecute and punish the perpetrators with penalties commensurate with the gravity of the offences committed, and ensure that all victims obtain redress and have an enforceable right to compensation including the means for as full rehabilitation as possible”.

You will be aware that the Government made an announcement relevant to this matter yesterday.”

Residency Permits

145. **Deputy Joe Costello** asked the Minister for Justice and Equality the reason a valid passport is required for renewal of permission to remain in the State; if his attention has been drawn to the fact that it is impossible for some applicants to obtain a passport because of the exigencies of their circumstances; and if he will make a statement on the matter. [16000/11]

Minister for Justice and Equality (Deputy Alan Shatter): The whole purpose of a national passport is to establish a person's citizenship and identity so that international travel and residence may be facilitated. Permission to reside takes the physical form of some type of passport endorsement such as a visa sticker, a residence permit sticker or, as in the Irish case, a residence stamp. Given the importance of ensuring that an immigration permission be availed of only by the person for whom it is intended, it has become a fundamental requirement in immigration regimes around the world that foreign national visitors or residents must be in possession of a valid passport so that the appropriate immigration permission may be placed within it.

While I am aware that people can encounter difficulties in this area, the conditions under which a national passport is issued or renewed is essentially a matter between the citizen and their national government.

Migrant Integration

146. **Deputy Eric Byrne** asked the Minister for Justice and Equality his policy function on integration. [16007/11]

Minister for Justice and Equality (Deputy Alan Shatter): Under the Equality, Integration, Disability and Human Rights (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 139 of 2011), the functions of the Minister for Community, Equality and Gaeltacht Affairs in regard to the promotion of the integration of persons (other than protection applicants) who are not, or who previously were not, Irish citizens, and their families, who are lawfully resident in the State, were transferred to me as Minister for Justice and Equality.

147. **Deputy Eric Byrne** asked the Minister for Justice and Equality his budget for the promotion of migrant integration for the year ending 2011; the amount given to programmes from this budget to date; the number of staff working in the office on the promotion of migrant integration; and the specific function of this office. [16008/11]

Minister for Justice and Equality (Deputy Alan Shatter): The function of the Office for the Promotion of Migrant Integration is to develop, drive and co-ordinate immigrant integration across Government Departments, agencies and services. In addition, the Office is responsible for the resettlement of programme refugees and persons admitted to Ireland on foot of Government decision.

The non-pay allocation for the Office in the 2011 Revised Estimates for Public Services is €2.796 million. (Subhead F. 7 of the Community, Equality and Gaeltacht Affairs Vote.) This covers non-pay administrative expenditure as well as programme expenditure. In addition, €1.5 million is allocated for expenditure from the European Refugee Fund and the European Integration Fund. (Subhead F. 8 in the above-mentioned Vote.) Grants of €162,900 have been paid from Subhead F. 7 and €566,610 has been charged to F. 8 in respect of payments to Pobal which is the delegated authority for these European Funds. Decisions on other expenditure will be taken in due course.

There are 17 staff in the Office, of whom 6 are in the resettlement area.

Departmental Staff

148. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality the position regarding the future employment prospects for criminal and forensic psychology graduates here; and if he will make a statement on the matter. [16011/11]

Minister for Justice and Equality (Deputy Alan Shatter): The Deputy will be aware that any proposed recruitment to the public sector must be considered in the context of the moratorium on such recruitment and is subject to the prior approval of the Minister for Finance. In terms of my Department, the Irish Prison Service employs a number of clinical, forensic and counselling psychologists. The Minister for Finance has sanctioned the recruitment of two psychologists and I understand that any appointments will be made from an existing panel of candidates. There are no plans to hold any further recruitment competitions at this time.

Proposed Legislation

149. **Deputy Gerald Nash** asked the Minister for Justice and Equality his plans to legislate for the licensing of debt collectors. [16012/11]

Minister for Justice and Equality (Deputy Alan Shatter): Responsibility for the licensing of the financial activity of debt collectors does not come within the area of responsibility of my Department. However, I should mention that the Non-Fatal Offences against the Person Act 1997 provides some protection to consumers against inappropriate methods of collecting repayments. Under section 11 of that Act, it is an offence to demand payment of a debt in a way designed to alarm, distress or humiliate. Any person who is threatened or intimidated by debt collectors should report the incident to the Gardaí who will take appropriate action.

150. **Deputy Gerald Nash** asked the Minister for Justice and Equality his plans to introduce an out of court debt settlement programme as recommended by the Law Reform Commission, the Free Legal Advice Centre and the Money Advice and Budgeting Service. [16014/11]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Question Number 34 of 18 May, 2011 which indicated the following:

“A Personal Insolvency Bill is in the course of being developed in my Department to provide for a new framework for settlement and enforcement of debt and for personal insolvency. It is a commitment under the EU/IMF Programme for publication in Q1 2012, however, it is my objective to publish the measure ahead of the EU/IMF deadline, if possible. In developing the Bill, account is being taken of the recommendations of the Law Reform Commission in its recent Report on *Personal Debt Management and Debt Enforcement*. That report provided an in-depth review of the personal debt regime. The economic and financial effects of certain of the new arrangements are being carefully assessed to ensure that all relevant issues are addressed and their impact is fully anticipated and understood.

The Civil Law (Miscellaneous Provisions) Bill, that is in the course of being drafted with a view to publication as soon as possible this year, will contain some interim measures in relation to reform of the law on bankruptcy. The Bankruptcy Act 1988, as it stands, does not meet the needs of modern social and economic conditions. Consideration is currently being given to the specific measures that will be contained in this Bill.”

I have nothing further to add to that reply.

151. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will provide an update on the judicial council Bill. [16021/11]

Minister for Justice and Equality (Deputy Alan Shatter): As indicated in the Government Legislation Programme for the Summer Session announced by the Chief Whip on 5 April 2011, the Judicial Council Bill is in the course of being drafted with a view to being published in late 2011.

152. **Deputy Dominic Hannigan** asked the Minister for Justice and Equality if he will confirm in the legal services Bill if it is intended that the system of taxation of costs will be altered in accordance with the recommendations of the legal costs working group and Competition Authority report study of competition in legal services; his plans to have the present system of taxation of costs operate in tandem with the newly intended system for a period in the initial stages; the length of time of same; if it is not so intended, if he will confirm the date at which the change over from the old to the new will take place; and if he will make a statement on the matter. [16026/11]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Parliamentary Question No. 274 of 7 June 2011 which sets out the current position in relation to the development of the Legal Services Bill. The details of any necessary transitional arrangements arising from changes to current regulatory frameworks will be announced by way of publication of my proposals for the Bill.

The reply was as follows:

”The Programme of the Government for National Recovery 2011-2016 undertakes to “establish independent regulation of the legal profession to improve access and competition, make legal costs more transparent and ensure adequate procedures for addressing consumer complaints”. These undertakings complement those structural reforms in the EU/IMF Programme of Financial Support for Ireland aimed at removing restrictions to trade and competition relating to the legal professions and legal costs, namely:

- to establish an independent regulator for the legal professions and implement the recommendations of the Legal Costs Working Group; and
- to implement the outstanding Competition Authority recommendations to reduce legal costs.

I intend to give effect to the various commitments I have mentioned by way of the Legal Services Bill that is referred to in the Government Legislation Programme announced by the Chief Whip on 5 April 2011.

The commitment of the Government is to a strategy that is comprehensive, provides more independent regulation of the legal professions, better regulates legal costs and will ensure that the complaints procedures are as effective as possible. The strategy, when implemented, will improve the overall system of delivery of legal services in the State.

The time-line for publication of the proposals is Quarter 3 of 2011.”

Citizenship Applications

153. **Deputy John Lyons** asked the Minister for Justice and Equality if he will consider changing the long-standing practice of issuing certificates of naturalisation only in Irish and provide a dual language version in Irish and English, as is the practice with most other official State documents including birth, marriage and death certificates and which would be a cost saving measure, as well as saving administration time for civil servants in dealing with requests for English versions of the naturalisation certificate. [16048/11]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Parliamentary Question No. 114 of 2 June 2011 and Parliamentary Question No. 173 of 9 June 2011. The Irish language is the first official language of the State and it is the long standing practice of the Citizenship Division of my Department to issue certificates of naturalisation in Irish. I can further inform the Deputy that the volume of requests made to my Department in any given year for an English version of a naturalisation certificate is negligible.

154. **Deputy Finian McGrath** asked the Minister for Justice and Equality the position regarding a naturalisation case in respect of a person (details supplied) in Dublin 3. [16069/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in November, 2009.

The application is currently being processed 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, I can inform the Deputy that, today, I have announced steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that will be available online, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. Further details can be obtained from the Department of Justice and Equality website *www.justice.ie*.

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.

Garda Operations

155. **Deputy Finian McGrath** asked the Minister for Justice and Equality if he will review a matter (details supplied) regarding anti-social activity. [16070/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Garda authorities that the area referred to is within the Clontarf Garda Sub-District. Local Garda management is not aware of any specific difficulties with regard to anti-social behaviour in the area. Any such incidents reported to An Garda Síochána are fully investigated.

A member of the local Community Policing Unit is allocated specifically to the area and regularly meets local residents to address any issues of concern raised.

The area is the subject of regular patrols by uniform and plain clothes personnel, including the Community Policing Unit, Mountain Bike Unit and local Detective and Drug Unit personnel, supplemented as required by the Divisional Crime Task Force and Traffic Corps personnel.

Local Garda management closely monitors and keeps under review patrols and other operational strategies in place, in conjunction with crime trends and policing needs of the communi-

ties in the area, to ensure optimum use is made of Garda resources and the best possible Garda service is provided to the public.

Current policing plans in the area are designed to address issues of crime and public order offences. Community policing is a central feature and core value of policing policy, and current policing strategies are predicated on the prevention of crime, public order offences and anti-social behaviour.

Citizenship Applications

156. Deputy Bernard J. Durkan asked the Minister for Justice and Equality the procedures to be followed to facilitate naturalisation or conclusion of the process or both in the case of a person (details supplied) in County Carlow; and if he will make a statement on the matter. [16078/11]

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.

Section 15 of 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.

Residency Permits

157. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current or expected position in the matter of determination of eligibility for naturalisation and leave to remain in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [16079/11]

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 19th June, 2008, 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 position in the State of the person concerned will now 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

158. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of residency status and eligibility for naturalisation in the case a person (details supplied) in County Donegal; and if he will make a statement on the matter. [16080/11]

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 22nd November, 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.

The position in the State of the person concerned will now 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.

159. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when updated stamp 4 will issue in the case of a person (details supplied) in County Kildare who has submitted all documentation some two months ago; and if he will make a statement on the matter. [16081/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned is a dependent of non-EEA national parents of a child born in Ireland before 1 January, 2005 who were granted permission to remain in the State under the provisions of the IBC/05 Scheme.

The mother of the person concerned made an application on his behalf for permission to remain in the State based on him being a family dependent. She was subsequently requested by letter dated 26 January 2010 to forward various supporting documents to enable the application to be considered. However, to date, little of the documentation requested has been received. Upon receipt of the outstanding documentation, the application will be considered and a decision on same 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 the 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.

160. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the determination of residency and naturalisation in the case of a person (details supplied) in Dublin 8; and if he will make a statement on the matter. [16082/11]

Minister for Justice and Equality (Deputy Alan Shatter): A valid application for a certificate of naturalisation from the person referred to in the Deputy's Question was received in the Citizenship Division of my Department in February, 2010.

The application is at an advanced stage of processing and will be finalised as expeditiously as possible.

In that context, I can inform the Deputy that, today, I have announced steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that will be available online, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. Further details can be obtained from the Department of Justice and Equality website www.justice.ie.

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.

161. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality further to Parliamentary Question No. 386 of 17 May 2011, when it might be expected to renew permission to remain in the State in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16083/11]

Minister for Justice and Equality (Deputy Alan Shatter): I refer the Deputy to my reply to Parliamentary Question No. 386 of Tuesday, 17th May, 2011 — set out beneath. The position is unchanged since then.

The person concerned has, through her legal representative, applied for the renewal of her temporary permission to remain in the State which expired on 9th January, 2011. This application is currently under consideration in my Department. When a decision has been made on this application, the person concerned will be notified in writing of the decision and of the consequences of the decision.

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.

162. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when naturalisation procedure will be concluded in the case of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [16084/11]

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 February 2011.

The applications are at an advanced stage of processing and will be finalised as expeditiously as possible.

In that context, I can inform the Deputy that, today, I have announced steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that will be available online, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. Further details can be obtained from the Department of Justice and Equality website www.justice.ie.

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.

163. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when it is expected that an application for naturalisation will be concluded in the case of a person (details supplied) in County Dublin; and if he will make a statement on the matter. [16086/11]

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 December, 2008.

The application is at the final stage of processing. Officials in the Citizenship Division inform me that a letter requesting further documentation has been sent to the applicant on 21 December 2010. To date, no reply has been received. A further letter has now been re-issued to the person concerned requesting the outstanding documentation and once this material is received the application will be submitted to me for decision.

In that context, I can inform the Deputy that, today, I have announced steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that will be available online, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. Further details can be obtained from the Department of Justice and Equality website www.justice.ie.

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.

164. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when he expects to be in a position to take into account the full extent of the humanitarian issues in the determination of residency and naturalisation status in the case of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [16087/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to by the Deputy has no application pending for residency. The person concerned is the subject of a Deportation Order, signed on 10 September 2009, following a comprehensive and thorough examination of his asylum claim, and a detailed examination of the representations he submitted for consideration under Section 3 of the Immigration Act 1999 (as amended). He has been evading his deportation since 6 October 2009 and should he come to the notice of the Garda authorities, he would be liable to arrest and detention. He should, therefore, present himself to the Garda National Immigration Bureau without any further delay. 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.

165. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position with regard to determination of residency in the case of a person (details supplied); and if he will make a statement on the matter. [16088/11]

Minister for Justice and Equality (Deputy Alan Shatter): There is currently no application pending in my Department for residency in the case of the person whose details were supplied. If an application for asylum has been made by the person concerned the Deputy will of course be aware that it is not the practice to comment on asylum applications that are pending.

[Deputy Alan Shatter.]

The Reception & Integration Agency (RIA) is responsible for the accommodation of asylum seekers while their application for asylum is being processed.

In respect of persons accommodated in RIA centres who have special dietary needs, management and kitchen staff in the centre will engage with the person or their guardian, to ensure that any such dietary needs are met.

166. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the progress made to date in the matter of determination of entitlement to residency and citizenship in the case of a person (details supplied) in Dublin 24; and if he will make a statement on the matter. [16089/11]

Minister for Justice and Equality (Deputy Alan Shatter): The person concerned was granted permission to remain in the State in 1999 under the arrangements then in place for the non-EEA parents of Irish born children. The permission has been renewed on a regular basis and is currently valid until 14 August 2015. As regards the matter of entitlement to citizenship, I am informed that no application for a certification of naturalisation has been received from the person concerned in the Citizenship Division of my Department to date.

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 the purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

Residency Permits

167. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position with regard to the determination of residency and family reunification in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16090/11]

Minister for Justice and Equality (Deputy Alan Shatter): I am informed by the Irish Naturalisation and Immigration Service (INIS) that the person referred to made an application for family reunification in April 2010.

The application was forwarded to the Office of the Refugee Applications Commissioner for investigation as required under Section 18 of the Refugee Act 1996. This investigation has been completed and the Commissioner forwarded a report to INIS in March of this year.

This application will be considered by INIS and a decision will issue in due course.

I should remind the Deputy that queries in relation to the status of individual Immigration cases may be made direct to INIS by 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

168. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current position with regard to the determination of citizenship in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [16091/11]

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 October, 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, I can inform the Deputy that, today, I have announced steps within my Department to provide for speedier processing of applications to bring about a substantial reduction in the processing timescale. The new arrangements include improved application forms that will be available online, streamlined and accelerated procedures for certain types of application and plans to recruit interns under the new Internship Programme. Further details can be obtained from the Department of Justice and Equality website www.justice.ie.

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.

Defence Forces Property

169. **Deputy Seán Ó Fearghail** asked the Minister for Defence the consideration he has given to the disposal of land at the former Magee Barracks at Kildare town; his plans to honour the commitment given by his predecessors to award 10% of the land or 10% of the land value to the local community in the event of the property being disposed of by the State; and if he will make a statement on the matter. [16019/11]

Minister for Defence (Deputy Alan Shatter): The site of the former Magee Barracks in Kildare Town comprises some 64 acres.

On 30 July, 2002 the then Minister, at a meeting with public representatives, local interest groups and council officials agreed to dispose of 10 acres of the site free of charge for community gain and not 10% of the land or 10% of its value as intimated by the Deputy.

The then Government decided on 1 July 2003 that the former Magee Barracks in Kildare Town would be among the State lands released for inclusion in the Sustaining Progress Affordable Housing Initiative. On foot of this announcement Kildare County Council prepared a local area plan for the site, which encompassed a range of uses including community activities in accordance with the commitment of July 2002. The Department had been involved in the process of transferring ownership to Kildare County Council and a final Contract of Sale was sent to the Solicitors for Kildare County Council in 2009. However, the local authority subsequently contacted the Department to state that it no longer wished to proceed with the development and had no interest in taking possession of the property. The property now remains with the Department of Defence in its entirety. The property will be disposed of by the Department, taking account of the market conditions, so as to maximise the return to the Defence Forces. No decision has been taken as to when this is likely to be.

As the complete site was offered free of charge to the local authority I would consider that the Department has fulfilled the intent of the previous commitment.

Grant Payments

170. **Deputy John O'Mahony** asked the Minister for Agriculture, Fisheries and Food further to Parliamentary Question No. 263 of 19 April 2011, when the person (details supplied) will receive their payment; and if he will make a statement on the matter. [15931/11]

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.

Farm Retirement Scheme

171. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the incentives available under legislation sponsored by him to encourage land transfer to young qualified farmers; and if he will make a statement on the matter. [15955/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): A range of tax incentives are in place to encourage the transfer of land to young trained farmers, including:

- 100% stamp duty relief on transfers and purchase on land by young trained farmers;
- 90% agricultural relief from Capital Acquisitions Tax;
- full Capital Gains Tax retirement relief on farm disposals;
- rental income exemptions to encourage the long-term lease of land; and
- general stock relief, including 100% relief for young trained farmers.

Food Harvest 2020 recommended that my Department, in conjunction with other relevant Departments, should identify and resolve impediments to land mobility; encourage partnership formation; and target future schemes and supports at farmers with the best growth potential, particularly younger farmers.

In light of this my Department is currently working on issues in relation to farm partnerships. The terms of some schemes have already been changed to facilitate partnerships, including the dairy equipment investment scheme and REPS.

Under a number of Department schemes where funding is limited, a preferential ranking is given to young trained farmers. Under the Single Payment Scheme, preferential ranking is given to young trained farmers when the national reserve is being allocated.

Grant Payments

172. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when payment in respect of agri-environment options scheme will issue to a person (details supplied) in County Galway; and if he will make a statement on the matter. [15957/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named has been approved into the AEOS scheme with a start date of the 1 November 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.

173. **Deputy Heather Humphreys** asked the Minister for Agriculture, Fisheries and Food when a person (details supplied) in County Cavan may expect to have their milking parlour inspected to receive payment; and if he will make a statement on the matter. [15978/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named is an applicant under the Farm Improvement Scheme. A Department official will carry out a farm inspection shortly and provided that the investment works satisfy the terms and conditions of the Scheme, the application will be processed for payment.

174. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food when an appeal against penalties incurred under the REP scheme will be heard in respect of persons (details supplied) in County Galway; and if he will make a statement on the matter. [16054/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The persons named commenced REPS 4 in May 2009 and received full payment in respect of year 1.

Following an inspection, the persons named were informed on 22 December 2010 that their REPS 4 application was to be terminated due to non-compliance with scheme terms and conditions in relation to land issues. Full recoupment of all monies paid was sought.

The applicants were unsuccessful in their appeal to my Department and subsequently appealed this decision to the Agriculture Appeals Office. Documentation relating to this appeal was received by my Department on 19th May 2011. This documentation is under review by the officer dealing with the case and the file will be returned to the Agriculture Appeals Office for its decision within seven working days.

175. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food the status of a person (details supplied) in County Kerry. [16064/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named applied for approval to plant under the Afforestation Scheme in 1997, at which time he declared on his application that he was a non-farmer. Because of legal issues regarding title, payment in respect of this application was not made until 2009. In the intervening period he had made a further application in 2000 for a separate area under the Afforestation Scheme where he declared himself to be a part-time farmer and provided evidence to that effect. This application was approved for payment at the farmer rate of premium.

Following payment of the application in 2009, the person named then contended that he was a farmer at the time of the application in 1997. In August 2009 an appeal against the decision to award him the non-farmer rate of forestry premium was submitted on his behalf. The Appeal Committee upheld the decision that the non-farmer rate of premium should apply, in the absence of substantive and satisfactory evidence to prove otherwise. Since that decision, the person named submitted further material to substantiate his contention that he was a farmer at the time of his application. However, my Department is not satisfied that the information supplied gives the necessary assurance for it to be able to revise the decision made on appeal. If there is further substantive evidence that the person concerned can submit in support of his contention that he was a farmer when making this application, my Department will review the decision in his case.

176. **Deputy Frank Feighan** asked the Minister for Agriculture, Fisheries and Food when payment will issue to a person (details supplied) in respect of REP scheme payment; if his attention has been drawn to the fact that a commitment was given more than three weeks ago that a person would be put in place to sign off on payments which are left aside due to retirement of senior personnel who signed off on such applications. [16072/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): The person named commenced REPS 4 in October 2009 and has received full payment in respect of year 1. My officials have approved payment in respect of year 2 and this will issue within 10 working days.

Following the retirement of an official in my Department dealing with the approval of REPS payments in the local office concerned, arrangements have now been made to deploy staff in order to ensure that all REPS files for farmers in the area concerned will be dealt with as quickly as possible.

177. **Deputy Paul J. Connaughton** asked the Minister for Agriculture, Fisheries and Food if the annual recoupment relating to a penalty imposed under the single farm payment will be significantly reduced to allow a person (details supplied) in County Galway to make a living. [16076/11]

Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney): A debt of €45,208.16 was notified in April 2009 to recover forestry grants and premiums paid to the person named. This debt has been partially recovered from other scheme payments leaving a current balance of €17,423.51. As advised to the Deputy's office, my Department will consider an extended repayment period in cases of hardship and the person named should write to the Forestry Division, Johnstown Castle Estate, Wexford outlining the circumstances and any proposals for repayment of the remaining balance.

Special Educational Needs

178. **Deputy Seán Ó Fearghail** asked the Minister for Children and Youth Affairs if she will consider correspondence (details supplied) regarding special needs education for a child; and if he will make a statement on the matter. [16077/11]

Minister for Children and Youth Affairs (Deputy Frances Fitzgerald): 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.

Hospital Services

179. **Deputy Sean Fleming** asked the Minister for Health if he will obtain and supply all documents and files relating to a person's (details supplied) period in hospital [15921/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As this is a service matter the question has been referred to the HSE for direct reply.

Health Services

180. **Deputy Timmy Dooley** asked the Minister for Health when he will provide the reorganisation of diabetes paediatric services in eight networks throughout the country, in particular, that which serves between 280 and 300 children with diabetes in counties Clare, Limerick and north Tipperary in order that intensive therapies can be accessed locally; and if he will make a statement on the matter. [15923/11]

Minister for Health (Deputy James Reilly): The HSE National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — is established within the Clinical Strategy and Programmes Directorate. The programme is supported by a multidisciplinary team with representation from a number of Nursing and Allied Health Professionals, Podiatrists, GPs and the Diabetes Federation of Ireland.

The National Clinical Programme's key deliverables for 2011 are the implementation of Diabetes Retinopathy Screening and a multidisciplinary Footcare package for patients with diabetes.

It is also considering care for children and adolescents with diabetes and resources for inclusion in the 2012 HSE Service Plan.

The programme is also in collaboration with the Primary Care National Clinical Programme on integrated care and the newly established National Clinical Programme for Paediatrics on access to diabetes therapies.

181. **Deputy Billy Timmins** asked the Minister for Health the position regarding therapy in respect of children (details supplied); and if he will make a statement on the matter. [15925/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

182. **Deputy Billy Timmins** asked the Minister for Health the position regarding speech therapy in respect of a person (details supplied) in County Wicklow [15926/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

Hospital Services

183. **Deputy Billy Timmins** asked the Minister for Health the position regarding an operation in respect of a person (details supplied) in County Wicklow; and if he will make a statement on the matter. [15928/11]

Minister for Health (Deputy James Reilly): As this is a service matter, it has been referred to the Health Service Executive for direct reply.

Services for People with Disabilities

184. **Deputy Brendan Griffin** asked the Minister for Health if formal annual funding is available for a service (details supplied) in County Kerry; and if he will make a statement on the matter. [15938/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): As the Deputy's question relates to service matters, I have arranged for this question to be transferred to the Health Service Executive for direct reply.

Mental Health Services

185. **Deputy Denis Naughten** asked the Minister for Health the procedure for a person to correct a wrong diagnosis on a psychiatric report; and if he will make a statement on the matter. [15953/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): Symptoms such as paranoia, hallucinations and suicidal ideations are common to a variety of psychiatric conditions for example schizophrenia or depressive disorders. When a patient presents with an illness there is often a number of possible causes. During the course of illness, the patient's symptoms evolve and consequently it may take some time to establish a final diagnosis.

Any patient who is unhappy with their diagnosis or treatment should be offered the option of seeking a second opinion.

Services for People with Disabilities

186. **Deputy Seán Ó Fearghaíl** asked the Minister for Health the consideration he has given to the need to provide additional funding for an organisation (details supplied) to support its work with seriously ill young children; and if he will make a statement on the matter. [15959/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): The Health Service Executive (HSE) is working with the Jack and Jill Foundation to identify and prioritise the needs of each child on a case-by-case basis. The HSE will work closely with Jack and Jill to ensure that no child is hospitalised for want of adequate home support, provided by either Jack and Jill or the HSE. However, if a child needs hospital care, the HSE will provide this.

I am committed to ensure that there should be a particular focus on protecting services to vulnerable groups. In 2011 the Government gave favourable treatment to disability services by setting a lower savings target for disability services of a maximum budget reduction of 1.8%. As is the case with all charities, the HSE is not in a position to provide additional funding to compensate for a drop in their private fund-raising income.

187. **Deputy Seán Ó Fearghaíl** asked the Minister for Health the contact he has had with thalidomide survivors or those acting on their behalf; the progress that has been achieved towards the implementation of a package of social, medical and financial supports for survivors; and if he will make a statement on the matter. [15960/11]

Minister for Health (Deputy James Reilly): I have arranged to meet with Irish survivors of thalidomide in July.

Health Services

188. **Deputy Peter Mathews** asked the Minister for Health his plans to increase the number of neurologists and improve neurological care services here; and if he will make a statement on the matter. [15962/11]

Minister for Health (Deputy James Reilly): The Office of Clinical Strategy and Programmes in the HSE has established three key national programmes in relation to neurological care which shows the HSE's commitment to improving access to neurological services and gives these services a major focus in the HSE.

The first programme deals with neurology out patient departments and aims to provide standardised care for neurology patients and to increase access so that patients will not wait more than 30 days for an appointment. The programme is due to establish referral guidelines and encourage the increased use of neurolink. The second programme deals with epilepsy

services and aims to introduce rapid access clinics to assist with admission avoidance and reduce the number of attendances to emergency departments. The third programme deals with stroke services and aims to establish robust clinical governance systems for stroke care, including local stroke teams and regional stroke networks.

Furthermore, the HSE has emphasised to my Department that all national programmes, including those concentrating on neurology, will have a focus on patient advocacy. These inter-related programmes aim to improve service quality, effectiveness and patient access and to ensure that patient care is provided in the service setting most appropriate to individuals' needs. I believe that the clinical programmes being developed by the HSE are vital to ensuring the most appropriate organisation of acute services.

In addition the HSE's National Service Plan for 2011 includes a commitment to

- target people waiting for a neurology out-patient appointment,
- appoint a national clinical lead for neuro-rehabilitation,
- establish an implementation structure and develop an implementation plan for neuro-rehabilitation.

With regard to staffing, the HSE expects to recruit additional neurology and neurophysiology consultants, Epilepsy Nurse Specialists, Staff Nurses and additional neurophysiology technicians this year. In addition, extra staff, particularly in the area of allied health are being recruited to deliver stroke care.

Care of the Elderly

189. **Deputy Gerald Nash** asked the Minister for Health the amount of funding he allocated to an organisation (details supplied) in 2010 and 2011; and if this funding has been allocated in one single tranche to the organisation. [16004/11]

Minister of State at the Department of Health (Deputy Kathleen Lynch): My Department does not directly fund agencies or organisations such as the one referred to by the Deputy. The Health Service Executive does provide funding to this organisation, accordingly as this is a service matter it has been referred to the Executive for direct reply.

Health Services

190. **Deputy Brendan Griffin** asked the Minister for Health if there will be a reorganisation of diabetes paediatric services in eight networks, one of which would serve between 470 and 500 children with diabetes in counties Cork and Kerry, in order that intensive therapies can be accessed locally; and if he will make a statement on the matter. [16009/11]

Minister for Health (Deputy James Reilly): The HSE National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — is established within the Clinical Strategy and Programmes Directorate. The Programme is supported by a multi-disciplinary team with representation from a number of Nursing and Allied Health Professionals, Podiatrists, GPs and the Diabetes Federation of Ireland.

The National Clinical Programme's key deliverables for 2011 are the implementation of Diabetes Retinopathy Screening and a multi-disciplinary Footcare package for patients with diabetes.

It is also considering care for children and adolescents with diabetes and resources for inclusion in the 2012 HSE Service Plan.

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The programme is also collaborating with the Primary Care National Clinical Programme on integrated care and the newly established National Clinical Programme for Paediatrics.

Patient Private Property Accounts

191. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the estimated figure for the total amount held in patients' private property accounts by the Health Service Executive; if he has satisfied himself that sufficient guidelines, practices and monitoring are in place to ensure proper procedures regarding these moneys following the deaths of patients; and if he will make a statement on the matter. [16034/11]

Minister for Health (Deputy James Reilly): Accounts at 31st December 2010 as per draft 2010 Accounts was €181,981,408. The estimated current balance in the Patient Private Property Accounts is €177 million as the value of funds held at the Central Fund has fallen by approximately €5 million this year due, primarily, to payments to late account holders' estates.

Both the Central Unit accounts and the local PPP accounts are audited each year by external auditors and also by the Office of the Comptroller and Auditors General.

The operation of the PPP accounts is governed by National PPP Guidelines, which set out the procedures to be followed in operating these Patient Private Property accounts.

Funds of a deceased patient are passed to the patient's Legal Personal Representative for them to administer faithfully according to the law, as part of the estate of the deceased.

This question is addressed at length in the HSE's Patients' Private Property Guidelines .

Health Services

192. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding the national retinopathy screening programme for Q4 2011 and Q1 2012; if the NCSS will issue a current status report for the diabetic retinopathy screening programme; and if he will make a statement on the matter. [16042/11]

Minister for Health (Deputy James Reilly): The HSE National Clinical Programme for Diabetes — which includes the care of children and adolescents with diabetes — is established within the Clinical Strategy and Programmes Directorate. This programme is supported by a multi-disciplinary team with representation from a number of Nursing and Allied Health Professionals, Podiatrists, GPs and the Diabetes Federation of Ireland.

The National Diabetes Working group is working through a number of key objectives; one of these is the development of a national diabetic retinopathy screening programme by the National Screening Programme (NCSS) — which was formally requested earlier this year by the HSE National Directorate of Clinical Strategy and Programmes to start the development of the retinopathy screening programme. This work has started, however, the development of the programme will inevitably prove protracted given the scale of the work involved in establishing such a new programme — especially given the fundamental principle that quality assured outcomes for diabetic patients is not compromised; and on this basis, it is not anticipated that it will be ready to start in the first quarter of 2012.

Road Network

193. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if he will confirm that he will not implement a toll system on the road linking the Rathnew and Arklow, County Wicklow, bypasses. [15963/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual national road schemes are matters for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007, in conjunction with the local authorities concerned.

In particular, the statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads is vested in the NRA under Part V of the Roads Act 1993 (as amended by the Planning and Development Act 2000 and the Roads Act 2007).

The “National Roads Traffic Management Study” published recently together with other work being undertaken by the NRA will help inform consideration of future tolling options. However, to date no decisions have been made in relation to future tolling strategy.

194. **Deputy Éamon Ó Cuív** asked the Minister for Transport, Tourism and Sport his plans to issue new best practice documents relating to the repair of non-national roads in view of the fact that the last documents issued were the Guidelines on the Depth of Overlay to be used on Non-National Roads in May 1999 and the Guidelines on the Rehabilitation of Roads over Peat issued in May 2000; and if he will make a statement on the matter. [15972/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The Guidelines mentioned by the Deputy are still relevant to the repair of regional and local roads. I would also point out that following Guidelines have also been issued:

- Guidelines for the Opening, Backfilling and Reinstatement of Trenches in Public Roads — April 2002;
- Traffic Management Guidelines — 2003;
- Work Methodologies on Non-National Roads — March 2004;
- Guidelines for Road Drainage — April 2004;
- IAT Guidelines on Surface Dressing in Ireland — February 2007;
- NRA Specification for Roadworks — January 2009;
- Guidance for the Control and Management of Traffic at Roadworks — 2010.

I have no plans to issue any further best practice documents at this time.

Road Safety

195. **Deputy Bernard J. Durkan** asked the Minister for Transport, Tourism and Sport the circumstances in which a person under the age of 70 years may be required to undergo an eyesight test for the purpose of driving licence renewal; and if he will make a statement on the matter. [15988/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): I cannot comment on individual cases, but the general position is as follows:

It is well established practice internationally that drivers should be required to undergo periodic medical and eyesight tests after a certain age. In Ireland, since 1964, the age of 70 has been the cut-off point, and applicants for a renewal of a driving licence after that age must provide a certificate of medical fitness and an eyesight report. Applicants for renewal of a driving licence who are below the age of 70 may be asked for an eyesight report in certain

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circumstances. All drivers should, in principle, meet minimum eyesight standards, as set out in the Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2010 (S.I. No. 544 of 2010). These minimum standards derive from EU law. Where drivers suffer from problems with visual acuity, field of vision, twilight vision, glare and contrast sensitivity, diplopia and other visual functions that can compromise safe driving, they should undergo a test when renewing their licence.

It is the responsibility of a person renewing a licence to notify the authorities of a condition which is newly appeared, and it is an offence to present false information. Where an applicant is already known to suffer from potentially progressive visual impairment, they are required to provide a new eyesight report at each licence renewal.

Taxi Regulations

196. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport his plans regarding hackney vehicles that are more than nine years old; and if he will make a statement on the matter. [16005/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The regulation of the taxi industry, including matters related to vehicle standards, is a matter for the National Transport Authority (NTA) under the Taxi Regulation Act 2003.

The NTA is currently reviewing the small public service vehicle standards and will commence a public consultation on proposed measures this year with a view to advancing new regulations to come into force in early 2012.

As part of the review of the taxi sector announced by me on the 8th June last, the current NTA examination of appropriate vehicle standards including the nine year rule will be taken into account in the course of the wide ranging issues to be addressed in the review.

Road Network

197. **Deputy Seán Ó Fearghaíl** asked the Minister for Transport, Tourism and Sport his views on the importance of the proposed southern distributor road at Athy, County Kildare; if he will continue to provide funding to ensure this project can proceed; and if he will make a statement on the matter. [16020/11]

Minister for Transport, Tourism and Sport (Deputy Leo Varadkar): The improvement and maintenance of regional and local roads, in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants. The initial selection and prioritisation of works to be funded is also a matter for the Council. A total of €435,176,000 is being provided for the maintenance and improvement of regional and local roads in 2011. From this allocation, Kildare County Council has been allocated a total of €13,229,847.

My Department received an application from Kildare County Council in November 2008 for 100% funding of the Athy Southern Distributor Road at an estimated cost of €42 million. A grant of €150,000 was allocated to the Council in 2011 to allow certain design and planning work on this project to be undertaken.

A review of all capital expenditure is being undertaken at present. It is only when that review process is completed that future allocations can be determined. I am not in a position to give any commitment regarding the provision of further funding for this road in the future.