



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

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

*Déardaoin, 21 Iúil 2011.*

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# DÁIL ÉIREANN

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*Déardaoin, 21 Iúil 2011.*  
*Thursday, 21 July 2011.*

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

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*Paidir.*

*Prayer.*

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## **Requests to move Adjournment of Dáil under Standing Order 32.**

**An Ceann Comhairle:** Before coming to the Order of Business I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they were submitted.

**Deputy Finian McGrath:** I seek the adjournment of the Dáil under Standing Order 32 to debate an issue of national importance, namely, the urgent need to support Donnellycarney Youth Project's position paper, through which its local voluntary committee manages the youth project, the drugs project and the community employment scheme. The youth project aims to respond to the local needs of young people and those affected by drug use. I also ask the Dáil to support the recent document on health.

**Deputy Dessie Ellis:** I seek the adjournment of the Dáil under Standing Order 32 to debate an issue of national importance, namely, suicide prevention. Since the economic collapse, there has been a considerable rise in suicide across Ireland, specifically in my area of Dublin North West, which has been very hard hit, with two young people taking their lives in the Finglas area in the past two weeks alone. There have been several other deaths of young people from suicide in my area in recent years. There is no doubt that the desperation of the recession is a major contributory factor. Something must be done to tackle this problem, in the provision of mental health services and health promotion education to create a better understanding of the issue among the general populace. More people are dying from suicide than from road accidents.

**Deputy Pearse Doherty:** Iarraim go gcuirfean an Dáil ar athló faoi Bhun Ordú leis an ceist práinneach seo a phlé, namely, the imminent injection of €19 billion of taxpayers' moneys into the covered institutions without any Dáil debate or scrutiny on the matter. Given that €10 billion of this injection will be taken from the National Pensions Reserve Fund and the remainder borrowed at very high interest rates, it is unacceptable that the transfer of these funds into the four banks will take place when the Dáil is not even sitting. This injection of €19 billion will be used primarily to pay senior bondholders, many of whom are not covered by the banking guarantee. At least €4.3 billion will be paid to bondholders between now and the end of September, a figure close to the €4 billion in public spending cuts and tax increases expected in December's budget. This payment of €19 billion will be made without any Dáil scrutiny or debate. Considering that the €19 billion is 39 times greater than the total cost of the so-called

[Deputy Pearse Doherty.]

jobs initiative, which was debated in this House over three days, there is clear need for a debate in here on the €19 billion injection into the four banks, which is due to take place in the next ten days.

**An Ceann Comhairle:** Having considered the matters raised, they are not in order under Standing Order 32.

**Deputy Dessie Ellis:** What a surprise.

### Order of Business

**The Tánaiste:** It is proposed to take No. 12, Revised Estimates for Public Services 2011 [Votes 24, 27, 39, 40, 41, 43] (back from committee); No. 13, motion re proposed approval by Dáil Éireann for a Council decision on the signature of the agreement between the European Union and Australia on the processing and transfer of passenger name record data by air carriers to the Australian Customs and Border Protection Service (back from committee); No. 14, motion re proposed approval by Dáil Éireann for a Council decision on the conclusion of the agreement between the European Union and Australia on the processing and transfer of passenger name record data by air carriers to the Australia Customs and Border Protection Service (back from committee); No. 15, motion re proposed approval by Dáil Éireann for a regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters (back from committee); No. 16, motion re proposed approval by Dáil Éireann of the terms of the stabilisation and association agreement between the European Communities and the Republic of Serbia (back from committee); No. 17, motion re proposed approval by Dáil Éireann of the terms of the free trade agreement between the European Union and the Republic of Korea (back from committee); No. 17a, motion re Standing Orders 19, 20, 21, 26, 27, 27A, 28, 32, 35, 36, 37, 40A, 68, 117, 117A and 121; No. 22, Civil Law (Miscellaneous Provisions) Bill 2011 [*Seanad*] — Order for Report, Report and Final Stages; No. 17b, Environment (Miscellaneous Provisions) Bill 2011, motion to instruct the committee; No. 23, Environment (Miscellaneous Provisions) Bill 2011 — Order for Report, Report and Final Stages; No. a1, Child Care (Amendment) Bill 2009 — (Amendments from the Seanad); No. 24, Central Bank and Credit Institutions (Resolution) (No. 2) Bill 2011 — Second Stage (resumed); and No. 29a, Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011 — Order for Report, Report and Final Stages.

It is proposed, notwithstanding anything in Standing Orders, that: No.1- the Dáil shall sit later than 4.45 p.m. tonight and business shall be interrupted on the conclusion of Question Time which shall be taken on the conclusion of No. 29a for 75 minutes, 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.2 — Nos. 12, 13, 14, 15, 16 and 17 shall be decided without debate, and in the case of No. 12, Votes 24, 27, 39, 40, 41 and 43, shall be moved together and decided by one question which shall be put from the Chair and any division demanded thereon shall be taken forthwith; No.3 — the proceedings in relation to No. 17a shall, if not previously concluded, be brought to a conclusion after 55 minutes and the following arrangements shall apply: (i) the speeches shall be confined to a Minister or Minister of State and to the main spokespersons for the Labour Party, Fianna Fáil, Sinn Féin and the technical group, who shall be called upon in that order and who may share their time, and shall not exceed ten minutes in each case; (ii) a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; No. 4, the Report and Final Stages of No. 22 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 2 p.m. by one question which shall be put from the Chair and which shall, in

relation to amendments, include only those set down or accepted by the Minister for Justice and Equality; No. 5, the proceedings on No. 17*b* shall, if not previously concluded, be brought to a conclusion after 65 minutes and the following arrangements shall apply: (i) the speeches shall be confined to a Minister or Minister of State and to the main spokespersons for Fianna Fáil, Sinn Féin and the Technical Group, who shall be called upon in that order and who may share their time and shall not exceed 15 minutes in each case, (ii) a Minister or Minister of State shall be called upon to make a speech in reply which shall not exceed five minutes; No. 6, the Report and Final Stages of No. 23 shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 5 p.m. by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for the Environment, Community and Local Government; No. 7, the proceedings on No. *a1* shall, if not previously concluded, be brought to a conclusion after 30 minutes and any amendments from the Seanad not disposed of shall be decided by one question which shall be put from the Chair, and which shall, in relation to amendments to the Seanad amendments, include only those set down or accepted by the Minister for Children and Youth Affairs; No. 8, the resumed Second Stage of No. 24 shall, if not previously concluded, be brought to a conclusion at 7 p.m. today; No. 9, the Report and Final Stages of No. 29*a* shall be taken today and the proceedings thereon shall, if not previously concluded, be brought to a conclusion after 30 minutes by one question which shall be put from the Chair and which shall, in relation to amendments, include only those set down or accepted by the Minister for Justice and Equality; and No. 10, the Dáil on its rising today shall adjourn until 2.30 p.m. on Wednesday, 14 September 2011.

**An Ceann Comhairle:** As there are ten proposals to be put to the House today, I will therefore need the assistance of Members. Is the proposal that the Dáil shall sit later than 4.45 p.m. today agreed to? Agreed. Is the proposal for dealing with Nos. 12 to 17, inclusive, agreed to?

**Deputies:** It is not agreed.

**An Ceann Comhairle:** That proposal is not agreed. I call Deputy O'Brien on behalf of Sinn Féin.

**Deputy Jonathan O'Brien:** The passenger name record agreement is due to be taken without debate and we disagree with that. The previous agreement which came before the House was between Ireland and the EU and it was the subject of a lengthy debate in this Chamber. We disagree with this agreement being taken without debate. It has far-reaching consequences for every citizen in this State and time should be allocated today to discuss it.

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

**Deputy Joe Higgins:** I am opposed to the taking of Nos. 13 and 14 without debate. I am very opposed to the taking, without debate, of No. 17, which relates to the free trade agreement between the European Union and Korea. I worked on this agreement when I was on the international trade committee of the European Parliament and there are several aspects of it that are utterly reprehensible. It forces widespread deregulation and liberalisation of Korean services with downward pressure on workers' wages and conditions. My second and final major point of objection as to why it should be debated here is that, with breathtaking hypocrisy, the European Union, which prides itself as being a paragon of environmental standards, has insisted in this trade agreement on Korea's stricter environmental law on motor car emissions being waived to allow bigger and more polluting European cars to be sold on the Korean market. It is an expression of an extreme neoliberal and right wing economic agenda. It has

[Deputy Joe Higgins.]

major implications for Korean workers in particular but also for some European workers and should be debated in the full Dáil before it is voted on.

**The Tánaiste:** All these proposals have been debated and considered in the respective committees. That is why we set up a committee system. That is why Members have plenty of opportunity to discuss these issues at committees. These are reports back from committees where these issues have already been discussed.

Question, “That the proposal for dealing with Nos. 12 to 17, inclusive, be agreed to”, put and declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with item No. 17a, motion re changes in Standing Orders, agreed to? Agreed. Is the proposal for dealing with No. 22, Civil Law (Miscellaneous Provisions) Bill 2011, agreed to?

**Deputy Jonathan O’Brien:** It is not agreed.

**An Ceann Comhairle:** I call Deputy O’Brien on behalf of Sinn Féin.

**Deputy Jonathan O’Brien:** This is very expensive legislation. There are 30 amendments to it due for discussion today. It deals with more than 40 Acts ranging from the Official Languages Act to the citizenship legislation, the Civil Legal Aid Act, family law legislation and the Equal Status Acts and the time being allocated to deal with the Report Stage of this Bill is not sufficient considering the number of amendments tabled to it and that the debate on it will be guillotined at 2 p.m. I remind the Tánaiste that this Bill will probably not be opposed given that it was not opposed on Committee Stage, but we ask that sufficient time be provided to consider all 30 amendments to it.

**The Tánaiste:** This Bill provides for a number of reforms in civil law. There is time allocated for this today up to 2 p.m. and I believe that is a sufficient amount of time to deal with it. The Government is anxious that the Bill be dealt with and passed by the House today.

Question put: “That the proposal for dealing with No. 22 be agreed to.”

The Dáil divided: Tá, 89; Níl, 40.

Tá

Barry, Tom.  
Breen, Pat.  
Broughan, Thomas P..  
Bruton, Richard.  
Burton, Joan.  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Catherine.  
Byrne, Eric.  
Cannon, Ciarán.  
Carey, Joe.  
Coffey, Paudie.  
Conaghan, Michael.  
Conlan, Seán.  
Connaughton, Paul J..  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Coveney, Simon.  
Creed, Michael.

Daly, Jim.  
Deasy, John.  
Deenihan, Jimmy.  
Deering, Pat.  
Doherty, Regina.  
Dowds, Robert.  
Doyle, Andrew.  
Durkan, Bernard J..  
English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Fitzgerald, Frances.  
Fitzpatrick, Peter.  
Flanagan, Charles.  
Flanagan, Terence.  
Gilmore, Eamon.  
Griffin, Brendan.  
Harrington, Noel.  
Harris, Simon.  
Hayes, Brian.

Tá—*continued*

Hayes, Tom.  
 Heydon, Martin.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.  
 Kehoe, Paul.  
 Kenny, Seán.  
 Kyne, Seán.  
 Lawlor, Anthony.  
 Lynch, Ciarán.  
 Lyons, John.  
 Maloney, Eamonn.  
 Mathews, Peter.  
 McEntee, Shane.  
 McGinley, Dinny.  
 McLoughlin, Tony.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 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'Sullivan, Jan.  
 Penrose, Willie.  
 Perry, John.  
 Phelan, Ann.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Ring, Michael.  
 Ryan, Brendan.  
 Shatter, Alan.  
 Shortall, Róisín.  
 Spring, Arthur.  
 Stanton, David.  
 Timmins, Billy.  
 Twomey, Liam.  
 Varadkar, Leo.  
 Wall, Jack.  
 Walsh, Brian.  
 White, Alex.

## Níl

Adams, Gerry.  
 Boyd Barrett, Richard.  
 Browne, John.  
 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.  
 Fleming, Tom.  
 Healy, Seamus.  
 Healy-Rae, Michael.  
 Higgins, Joe.

Kelleher, Billy.  
 Kitt, Michael P..  
 Martin, Micheál.  
 McDonald, Mary Lou.  
 McGrath, Finian.  
 McLellan, Sandra.  
 Moynihan, Michael.  
 Murphy, Catherine.  
 Ó Caoláin, Caoimhghín.  
 Ó Cuív, Éamon.  
 Ó Fearghaíl, Seán.  
 Ó Snodaigh, Aengus.  
 O'Brien, Jonathan.  
 O'Dea, Willie.  
 O'Sullivan, Maureen.  
 Pringle, Thomas.  
 Ross, Shane.  
 Smith, Brendan.  
 Stanley, Brian.  
 Wallace, Mick.

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

Question declared carried.

### Visit of African Delegation

**An Ceann Comhairle:** Before proceeding I warmly welcome seven African heads of mission to Ireland who are present in the Distinguished Visitors' Gallery.

### Order of Business (Resumed)

**An Ceann Comhairle:** Is the proposal for dealing with No. 17*b*, Environment (Miscellaneous Provisions) Bill 2011, agreed to?

**Deputy Aengus Ó Snodaigh:** It is not agreed. There are a number of proposals being made, several relating to the imposition of a guillotine. Not so many months ago, if those who are now Government Whips had seen proposals for seven guillotines on a single day, they would have been apoplectic. In many cases there is no need for the proposals to guillotine legislation because it will not be opposed and will pass virtually on the nod. The Bills have been exhaustively debated and are not contentious. I am arguing against the imposition of seven guillotines today and ask that even at this late stage, the Chief Whip and Tánaiste consider removing the guillotines. This would allow debate to take place in a proper FÁShion with every one of the proposals before us, many of which are quite detailed changes in our legislation and require more time for every Deputy to have an opportunity to contribute to the debate.

**Deputy Joe Higgins:** I support those comments.

**The Tánaiste:** All of these are pieces of reforming legislation and I would expect Members of the House to support them. One of the proposals, for example, deals with amendments from the Seanad to the child care Bill. I recall last week that Deputy Ó Caoláin specifically asked for those amendments to be made, and they were made in the Seanad.

**Deputy Aengus Ó Snodaigh:** We are not opposing the amendments.

**The Tánaiste:** The House will today agree the amendments made in the Seanad which were proposed by the Minister for Children and Youth Affairs. It would be somewhat strange for the House to want to delay the implementation of those amendments and important child care legislation.

**Deputy Joe Carey:** Hear, hear.

**Deputy Bernard J. Durkan:** Hear, hear.

**Deputy Aengus Ó Snodaigh:** The Tánaiste is misrepresenting my comments.

**The Tánaiste:** No. 17*b* relates to the Environment (Miscellaneous Provisions) Bill 2011 and the proposal will allow the Minister for Environment, Community and Local Government to introduce amendments to the Bill which will, for example, deal with the long outstanding issue of the name of Dingle and Daingean Uí Chúis. There are also a number of technical amendments relating to the birds directive.

**Deputy Brian Stanley:** There are other issues too, such as planning matters.

**The Tánaiste:** The Government has a number of pieces of reforming legislation before the House and there is absolutely no reason this legislation should not be enacted. I see no reason for the Opposition, or parts of it, to want to delay the reforms being dealt with.

**Deputy Aengus Ó Snodaigh:** We are not suggesting a delay. I am dealing with the guillotine.

**The Tánaiste:** The purpose of the guillotine is to get legislation through.

**Deputy Timmy Dooley:** What is the difference between this and when the Tánaiste was in Opposition?

**Deputy Billy Kelleher:** What a difference 15 metres make.

**An Ceann Comhairle:** Comments should be made through the Chair.



**The Tánaiste:** There is a difference.

**Deputy Jerry Buttimer:** They are trying to get Micheál out.

**Deputy Shane McEntee:** Even one metre makes a difference.

**Deputy Jerry Buttimer:** They will not be back here for a long time so the Deputies should get used to it over there.

**The Tánaiste:** The difference is that this is good reforming legislation in the public interest.

**Deputy Jerry Buttimer:** They are plotting against Micheál already. The poll numbers are not great.

**An Ceann Comhairle:** Deputy Buttimer.

**Deputy Paul Kehoe:** The opinion poll was not good reading.

**An Ceann Comhairle:** We read the papers. I remind Deputies that while all this is ongoing, it is now 11.05 a.m. and all the business to be dealt with will be held up. I ask Deputies for their co-operation.

Question, “That the proposal for dealing with No. 17*b* be agreed to”, put and declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with No. 23, Report and Final Stages of the Environment (Miscellaneous Provisions) Bill 2011, agreed to?

**Deputy Aengus Ó Snodaigh:** It is not agreed.

**An Ceann Comhairle:** The Deputy has already made his explanation.

**Deputy Aengus Ó Snodaigh:** It is a pity the Taoiseach did not bother listening to me as he misrepresented what I told him.

**Deputy Alan Shatter:** He is the Tánaiste. The Taoiseach is not here.

**Deputy Aengus Ó Snodaigh:** I apologise, it is the Tánaiste.

**Deputy Alan Shatter:** The Deputy can telephone the Taoiseach.

**Deputy Aengus Ó Snodaigh:** If the Deputy wishes it, I can do it. The Tánaiste definitely did not listen and misrepresented exactly what I stated. I indicated that most of the legislation was not contentious and would probably go through on the nod because there is agreement across the board on it. I ask that the guillotines be lifted. We have shown in recent months that when guillotines were imposed, they were not required. Where legislation is welcome and not controversial, we have accepted the reasoning——

**Deputy Bernard J. Durkan:** The Opposition was not there.

**Deputy Aengus Ó Snodaigh:** ——behind quick passage. We have agreed with Ministers in putting legislation on the agenda today to facilitate debate. All I ask is that the guillotines be lifted as the legislation will be passed in the timeframe outlined by the Government. There should be ample opportunity to debate the different amendments to these pieces of legislation, which are far-reaching in some cases. We do not want it said, in a number of months, that

[Deputy Aengus Ó Snodaigh.]

proper scrutiny was not given to the issue and legislation could be struck down by the Supreme Court.

**Deputy Finian McGrath:** We will bring them in next week.

**An Ceann Comhairle:** I presume the Tánaiste's explanation will be the same as the last time.

**The Tánaiste:** There are a number of pieces of legislation and, in fairness, Deputy Ó Snodaigh is correct in that these Bills are not being opposed, as I understand it. The times we have set down to conclude the debate on each of the pieces of legislation is to provide a form of discipline for the House to ensure we get through all of them.

Question, "That the proposal for dealing with No. 23 be agreed to", put and declared carried.

**An Ceann Comhairle:** Is the proposal for dealing with No. *a1*, Child Care (Amendment) Bill 2009, amendments from the Seanad, agreed to? Agreed. Is the proposal for dealing with No. 24, Central Bank and Credit Institutions (Regulations) (No. 2) Bill 2011, Second Stage (Resumed), agreed to? Agreed. Is the proposal for dealing with 29*a*, Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011, Order for Report, Report and Final Stages, agreed to? Agreed. Is the proposal that the Dáil on its rising today shall adjourn until 2.30 p.m. on Wednesday, 14 September 2011, agreed to?

**Deputy Mary Lou McDonald:** It is not agreed.

**Deputy Derek Keating:** We will see real hypocrisy now.

**Deputy Simon Harris:** Deputy Ó Cuív can start his presidential campaign now.

**Deputy Éamon Ó Cuív:** It has been customary at this time of year——

**Deputy Paul Kehoe:** Will the Deputy tell us we should have finished for the summer three weeks ago?

**Deputy Éamon Ó Cuív:** ——for Opposition parties to oppose the motion on the adjournment of the Dáil for the summer and try to add to the myth that politicians are on holiday when the Dáil is not sitting in plenary session. I am not going to add to this fable today.

**Deputy Michael P. Kitt:** Hear, hear.

**Deputy Éamon Ó Cuív:** I know that other than during a short break, when politicians are——

**Deputy Seán Crowe:** On the beach.

**Deputy Éamon Ó Cuív:** ——in recess, we fulfil many of the other functions of our office. That can involve doing research, working in our constituencies or reading important documents that inform the work we have to do. I recognise that those in government will use the break to do much of the work that needs to be done in their Departments. I am sure they will take this opportunity to do work that will be of great importance to the country in the autumn.

**Deputy Simon Harris:** That is very presidential.

**Deputy Éamon Ó Cuív:** It is fair to record that many politicians work between 80 and 100 hours a week. The work we do in this House is a small part of the overall work we do.

**Deputy Michael P. Kitt:** Hear, hear.

**Deputy Éamon Ó Cuív:** We all have many roles to fulfil in our constituencies and as public representatives.

**Deputy John Browne:** Good man, Éamon.

**Deputy Éamon Ó Cuív:** It is fair to point out that many politicians on both sides of the House have specific briefs that require a considerable amount of work and research. Politics can demand dedication from people other than politicians — it is also required from the family members of Deputies, for example. Politicians are often away from home for days or weeks on end. I accept that the hours are long for Dublin Deputies, but it is fair to recognise that when the House is sitting, rural Deputies are away from home for the best part of the week.

**Deputy Colm Keaveney:** Hear, hear.

**Deputy Éamon Ó Cuív:** The recess presents an opportunity to work from home, but that does not mean one is not working. I emphasise that regardless of their policies or allegiances, most politicians work very hard and believe in what they are doing.

**An Ceann Comhairle:** Thank you, Deputy.

**Deputy Timmy Dooley:** The Ceann Comhairle is included in that.

**Deputy Niall Collins:** He is above all that now.

**Deputy Éamon Ó Cuív:** I am about to conclude.

**Deputy Bernard J. Durkan:** The Deputy is making a very presidential speech.

**An Ceann Comhairle:** I have given the Deputy some latitude, but I have to say the normal practice——

**Deputy Bernard J. Durkan:** He is looking for the nomination.

**An Ceann Comhairle:** ——is for contributions to be made only by Deputies who disagree with the proposal before the House.

**Deputy Timmy Dooley:** I am sure Deputy Ó Cuív will include you, a Cheann Comhairle.

**Deputy Niall Collins:** He will give the Ceann Comhairle a mention at the end.

**An Ceann Comhairle:** I appreciate what Deputy Ó Cuív is saying, but I have given him sufficient time to say it.

**Deputy Éamon Ó Cuív:** Fianna Fáil has not prolonged the Order of Business this morning.

**An Ceann Comhairle:** I appreciate that.

**Deputy Éamon Ó Cuív:** We have seen many changes in this Dáil. Deputies on this side of the House will continue to work as a robust Opposition.

**Deputy Michael Creed:** Robotic.

**Deputy Éamon Ó Cuív:** However, I would like to make one request. In view of the major importance of the summit taking place today, the House should reconvene next week.

**Deputy Finian McGrath:** Hear, hear.

**Deputy Éamon Ó Cuív:** The Taoiseach should report to the House on the summit and give us a chance to debate its outcome. Between now and the recall of the Dáil, those of us on this side of the House will continue to work and prepare to come back here as a vigilant and active Opposition. Despite our depleted numbers, we will hold the Government to account.

**Deputy Simon Harris:** Thank you.

**Deputy Éamon Ó Cuív:** Democracy requires no less.

**Deputy Bernard J. Durkan:** That is reassuring.

**Deputy Éamon Ó Cuív:** Ba mhaith liom chuile rath a ghuí ar gach éinne i gcathreamh an tsamhraidh. Tá sé tábhachtach go dtógfadh gach Teachta briseadh mar go dteastaíonn sé. Tá súil agam go ngéillfidh an Tánaiste don iarratas atá déanta agam go dtiocfaimid ar ais ar chúis faoi leith atá thar a bheith tábhachtach don tír.

**Deputy Bernard J. Durkan:** A Uachtarán——

**Deputy Éamon Ó Cuív:** Ba cheart dúinn toradh an mórchrúinniú atá ar bun sa Bhruiséil a phlé.

**Deputy Simon Harris:** The Deputy is a real patriot.

**Deputy Mary Lou McDonald:** That sounded more like an Ard-Fheis speech than a presidential speech.

**Deputy Timmy Dooley:** Has the Deputy been to one of our Ard-Fheiseanna?

**Deputy Mary Lou McDonald:** As we pack up our buckets and spades and head off——

**Deputy Colm Keaveney:** The Deputy should speak for herself.

**Deputy Mary Lou McDonald:** ——for a well earned break——

**An Ceann Comhairle:** I assure the Deputy that I gave up using buckets and spades a long time ago.

**Deputy Mary Lou McDonald:** ——it is useful to record that while politicians may work hard——

**Deputy Niall Collins:** More like buckets and hand grenades.

**Deputy Mary Lou McDonald:** ——many outside these walls work much harder. It is only fitting to record the fact that hundreds of thousands of low-paid workers will have a very fretful summer on foot of a High Court decision and the failure of the Government to introduce emergency legislation. We do not accept that the House should be adjourned, given that the Taoiseach is today attending an EU summit of immense importance to the State.

**Deputy Paudie Coffey:** He will do a good job.

**Deputy Mary Lou McDonald:** Many promises have been made by the Government in the course of this Dáil session. It promised to resolve the issue of the interest rate and deal with senior bondholders. We have heard a great deal of rhetoric but seen very little action.

**Deputy Paudie Coffey:** Deputy Kenny is the hardest working Taoiseach we have ever seen.

**Deputy Mary Lou McDonald:** Reports in the media today suggest something may be brewing in the discussions between France and Germany. It would be unacceptable if the Taoiseach were to fail to present himself before the House to give us a full account of the summit and reassure Deputies and the people as a whole — the taxpayers and citizens of the State — that he has finally taken a stand, done the right thing and represented the interests of citizens fully and fairly.

**Deputy Shane McEntee:** He will do so.

**Deputy Mary Lou McDonald:** Rather than adjourning for the summer, the House should reconvene next week to hear a full and frank report from the Taoiseach.

**Deputy Joe Higgins:** In the past the proposal to adjourn the Dáil for the summer was often routinely opposed——

**Deputy Paudie Coffey:** The bandwagon is rolling on.

**Deputy Joe Higgins:** ——with a level of cynicism and grandstanding that only the Labour Party and Fine Gael could muster.

**Deputy Niall Collins:** The Deputy can beat that level.

**Deputy Joe Higgins:** On this occasion there is——

**Deputy Paul Kehoe:** The Deputy has asked me on numerous occasions when the House will be adjourning for the summer.

**An Ceann Comhairle:** Sorry, hold on a second.

**Deputy Paul Kehoe:** He has asked me enough times anyway.

**An Ceann Comhairle:** I ask the Minister of State not to interrupt.

**Deputy Paul Kehoe:** He asked me many times if we would be sitting for another week.

**Deputy Niall Collins:** We heard the Minister of State the first time. He only needed to say it once.

**Deputy Alan Shatter:** Deputy Higgins's holidays are booked. He will be in trouble if we sit longer.

**An Ceann Comhairle:** I ask the Tánaiste to ensure his colleagues remain quiet.

**Deputy Alan Shatter:** The sandy beaches of Cuba are waiting for Deputy Higgins.

**An Ceann Comhairle:** Deputy Higgins should be allowed to make his contribution.

**Deputy Joe Higgins:** The Government Whip should be giving his back benchers good example.

**Deputy Paudie Coffey:** The Deputy should not be talking out of both sides of his mouth.

**Deputy Joe Higgins:** The serious point is that more time is needed on this occasion. I do not deny that many Members are tired and exhausted.

**Deputy Bernard J. Durkan:** The Deputy should speak for himself.

**Deputy Joe Higgins:** If one wants proof of this, one can look at the faces of the people from the media present. They cannot wait to get out of here.

**Deputy Anthony Lawlor:** The Deputy is blaming them again.

**Deputy Joe Higgins:** The same can be said of some Members. It has been a difficult year. However, more time is needed for three strong reasons. First, the EU summit will probably decide to continue the policy of the leaders of the European establishment, which is to continue to force working-class people in this country and elsewhere in Europe to salvage a rotten financial system. The Taoiseach should report back to us and give us an opportunity to discuss the outcome of the summit. Second, approximately 250,000 low-paid workers, among the most vulnerable workers in our society, have been left without the protection of the joint labour committees and the employment regulation order system which the bosses had struck down in the Supreme Court. This is the busiest and most pressurised time of the year in the hotel and restaurant sectors and other areas. Tens of thousands in these sectors are open to pressure and exploitation. It is shameful for the national Parliament to adjourn for the summer without giving these workers the protections they need. Third, an opinion poll published this morning suggests 55% of the people are dissatisfied with the Government. Significantly, a majority of Labour Party supporters are dissatisfied.

**Deputy Finian McGrath:** Ouch.

**Deputy Joe Higgins:** Is it any wonder, considering that we have had four months of putting the burden of salvaging the European financial system on the backs of ordinary working people?

**Deputy Brendan Griffin:** What level of support did the Socialist Party receive in the poll?

**Deputy Finian McGrath:** It is on a figure of 17% in Dublin.

**Deputy Joe Higgins:** We need more time to deal with these issues.

**Deputy Finian McGrath:** That is the latest figure.

**Deputy Colm Keaveney:** How did the Finian Party get on? Finian Fáil.

**An Ceann Comhairle:** I call Deputy Boyd Barrett.

**Deputy Anthony Lawlor:** We have heard from the Technical Group.

**Deputy Richard Boyd Barrett:** Everybody deserves a break. Whatever differences I have with the Members on the other side of the House, I recognise it has been a fairly intense few months in here and all of us have a difficult situation to deal with. I do not doubt that Members have been working hard in their own way by their own lights in order to attempt to deal with the situation.

Also, it is important to dispel the myth that politicians will all be swanning off for the next six or eight weeks on holidays. They deserve a break and no doubt will take one, but many of them will be working for most of that time, either in their constituencies or on the issues that affect the country.

That being said, however, there is a strong and legitimate case for keeping the Dáil convened for a few more days. First, the issue of the European summit is a serious matter. While there

are some positive noises about what may happen there in terms of trying to deal with the debt crisis, there have been similar sounds before previous summits which turned out to be quite other than what people hoped and the contagion spread. People are anxious and deserve to hear a full report and to have this House interrogate fully the outcome of that summit.

In particular, one element of the Taoiseach's speech yesterday in terms of what might come out of that summit alarmed me greatly and if any such arrangement is put in place, it is certainly something that we need to discuss. It is that if there was any talk of lengthening the maturities on loans and lowering interest rates, it may include a collateral arrangement where appropriate.

**An Ceann Comhairle:** We do not discuss the full issues.

**Deputy Richard Boyd Barrett:** I just want to make a point. That is a very serious question. That means assets of the State would be used as collateral against changes in interest rates. That is a serious business and we need to know if that is the case.

**Deputy Anthony Lawlor:** Deputy Boyd Barrett is not correct.

**Deputy Richard Boyd Barrett:** Another reason is the issue of the JLCs and the uncertainty that faces those low-paid workers.

Another reason is the Dáil owes it to a vulnerable section of society to clarify whether it will have the educational supports it needs come September. Heading into the summer, parents of children with special needs who have been refused applications for special needs assistants need to know whether they will have them in the autumn. There are 400 or so held over, but it is uncertain for many parents whether they will have them. The Dáil has an obligation to the parents of the most vulnerable children in this country to clarify that situation before the summer break.

Lastly, I have asked since the publication of the McCarthy report for some discussion in this House about what State assets may be on the chopping block for sale in order to pay off the bankers and bondholders and I have been referred constantly to the Chief Whip. We have asked the Chief Whip in meeting after meeting to have this discussion and the Government consistently refuses to discuss the question of billions of euro in State assets that may be up for sale. We should not adjourn the Dáil until that matter is discussed and clarified and the public gets a chance to know what may be up for sale to pay off bondholders.

**The Tánaiste:** We should acknowledge that the House, since the general election, has sat for 38% longer than was previously the case. The recess that is being proposed for this summer is the shortest that I certainly can recall, and I am in the House 22 years. The date originally proposed by the previous Government for the adjournment of the Dáil for the summer was 7 July and the date for resumption was 29 September. What we are talking about is a much shorter recess.

A number of Members have referred to the important meeting taking place today in Brussels of the Heads of State and Government. It is an important meeting that has been convened by President Van Rompuy. First, the fact that the meeting is taking place represents a significant achievement for this country and for the Government. For some time we have been seeking to have the debate about the debt crisis moved from being dealt with on a country-by-country basis to being dealt with on a European-wide basis, seeking a European solution to a European problem. The fact that we are at a point today where there is a summit meeting taking place which is addressing a European solution to that crisis represents a very significant achievement for the country, for the Government and for the diplomatic work that we have been doing over the course of the past four months or more in that area.

[The Tánaiste.]

Second, I am sure everybody in the House will wish the Taoiseach well in the discussions taking place in Brussels today——

**Deputies:** Hear, hear.

**The Tánaiste:** ——and express the hope that there will be a positive outcome for Ireland from that meeting. I certainly hope that there will be such a positive outcome and if there is, I hope it will be welcomed, not only by those of us who are on the Government side of the House but right across the House. Much work has gone in over a long period of time to reach the point where today, hopefully, this country will get a positive outcome from the meeting that is taking place in Brussels.

I am proposing that the House itself, in terms of its formal plenary session, will adjourn today and reconvene on 14 September. However, it is appropriate that the outcome of the summit meeting today is considered by the parliamentary system. I understand it is proposed that there will be a meeting of the Joint Committee on Finance, Public Expenditure and Reform on Tuesday at 4 o'clock to discuss the outcome of the summit. As the House will be aware, every Member of the House is entitled to attend meetings of committees. If it is the case that the number of Members interested in attending that committee is more than what would be accommodated in the committee room, we can have that meeting of the committee here in the Chamber so that any Member of the House who wants to discuss the outcome of today's summit, from which, hopefully, there will be satisfactory conclusions, can do so here in the House. We can use the Chamber for the meeting of that committee and Members can be here in the Chamber at 4 o'clock on Tuesday next.

**Deputies:** Hear, hear.

**The Tánaiste:** Finally, on the issue of workers and the outcome of the High Court decision on the JLCs, as we stated here on a number of occasions the Government is preparing legislation to deal with that issue and we hope to have that legislation before the House early in the new session.

Question put: "That the Dáil on its rising today shall adjourn until 2.30 p.m. on Wednesday, 14 September 2011."

The Dáil divided: Tá, 68; Níl, 31.

Tá

Bannon, James.  
Barry, Tom.  
Breen, Pat.  
Broughan, Thomas P.  
Butler, Ray.  
Buttimer, Jerry.  
Carey, Joe.  
Coffey, Paudie.  
Conlan, Seán.  
Connaughton, Paul J.  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Creed, Michael.  
Daly, Jim.  
Deasy, John.  
Doyle, Andrew.  
Durkan, Bernard J.

English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Flanagan, Charles.  
Flanagan, Terence.  
Gilmore, Eamon.  
Griffin, Brendan.  
Harrington, Noel.  
Harris, Simon.  
Hayes, Brian.  
Hayes, Tom.  
Healy-Rae, Michael.  
Heydon, Martin.  
Humphreys, Heather.  
Humphreys, Kevin.  
Keaveney, Colm.  
Kehoe, Paul.  
Kenny, Seán.



Tá—*continued*

Kyne, Seán.  
 Lynch, Ciarán.  
 Lynch, Kathleen.  
 Lyons, John.  
 McCarthy, Michael.  
 McEntee, Shane.  
 McFadden, Nicky.  
 McLoughlin, Tony.  
 Mathews, Peter.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Naughten, Denis.  
 Neville, Dan.  
 Ó Ríordáin, Aodhán.  
 O'Donovan, Patrick.

O'Dowd, Fergus.  
 O'Mahony, John.  
 O'Reilly, Joe.  
 O'Sullivan, Jan.  
 Penrose, Willie.  
 Phelan, John Paul.  
 Ryan, Brendan.  
 Shatter, Alan.  
 Shortall, Róisín.  
 Spring, Arthur.  
 Stanton, David.  
 Timmins, Billy.  
 Twomey, Liam.  
 Wall, Jack.  
 Walsh, Brian.  
 White, Alex.

## Níl

Boyd Barrett, Richard.  
 Browne, John.  
 Calleary, Dara.  
 Collins, Joan.  
 Collins, Niall.  
 Colreavy, Michael.  
 Cowen, Barry.  
 Crowe, Seán.  
 Daly, Clare.  
 Doherty, Pearse.  
 Donnelly, Stephen.  
 Dooley, Timmy.  
 Ferris, Martin.  
 Fleming, Sean.  
 Fleming, Tom.  
 Higgins, Joe.

Kitt, Michael P.  
 McDonald, Mary Lou.  
 McGrath, Finian.  
 McLellan, Sandra.  
 Murphy, Catherine.  
 Ó Cuív, Éamon.  
 Ó Fearghaíl, Seán.  
 Ó Snodaigh, Aengus.  
 O'Brien, Jonathan.  
 O'Dea, Willie.  
 O'Sullivan, Maureen.  
 Pringle, Thomas.  
 Smith, Brendan.  
 Stanley, Brian.  
 Wallace, Mick.

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

Question declared carried.

**An Ceann Comhairle:** Are there any other matters on the Order of Business?

**Deputy Pearse Doherty:** On a point of order, will the Tánaiste clarify that the Taoiseach will be here on Tuesday to answer questions and to brief Members?

**An Ceann Comhairle:** That is not a point of order.

**Deputy Pearse Doherty:** It is the protocol of the House to have the Taoiseach brief Members on European summits. Last December, the Tánaiste demanded that such an approach be taken.

**An Ceann Comhairle:** That is not a point of order Deputy. Resume your seat.

**Deputy Pearse Doherty:** On a point of clarification, will the Taoiseach be before the House on Tuesday?

**An Ceann Comhairle:** Please resume your seat.

**Deputy Pearse Doherty:** Will the Tánaiste answer the question?

**The Tánaiste:** Deputy Doherty just voted against the recommendation that I made.

**Deputy Pearse Doherty:** Will the Taoiseach be here to take questions on one of the most important European summits to take place?

**Deputy Paul Kehoe:** Deputy Doherty voted against it.

**Deputy Pearse Doherty:** Will the Taoiseach present himself before the House?

**An Ceann Comhairle:** Deputy Doherty, resume your seat.

**Deputy Pearse Doherty:** Why is the Taoiseach refusing to come before the finance committee?

**An Ceann Comhairle:** Deputy Doherty, did you hear me?

**Deputy Pearse Doherty:** He has been requested by the members of the finance committee to come before it.

*(Interruptions).*

**An Ceann Comhairle:** Deputy Doherty, resume your seat.

**Deputy Pearse Doherty:** He is refusing to come before the finance committee. The Taoiseach is refusing come before the finance committee.

**An Ceann Comhairle:** I am moving on to the Revised Estimates for Public Services.

**Deputy Pearse Doherty:** The Tánaiste will not clarify whether he will be here next Tuesday.

**An Ceann Comhairle:** I am not putting up with this.

**Deputy Paul Kehoe:** Deputy Doherty is grandstanding.

**Deputy Bernard J. Durkan:** It is grandstanding for sure.

**Deputy Pearse Doherty:** He is refusing to come before the finance committee.

**Deputy Paul Kehoe:** This is just grandstanding.

**Deputy Pearse Doherty:** Can the Tánaiste confirm if the Taoiseach is refusing to come before the finance committee to brief Members on one of the most important European summits on the week we will inject €19 billion of taxpayers' money into the banks?

**An Ceann Comhairle:** Deputy Doherty, you will be taking an early bath if you do not resume you seat. Resume you seat. You are totally out of order and I do not think it is funny.

**Deputy Pearse Doherty:** The Taoiseach is out of order and in breach of protocol for not coming into the House.

**An Ceann Comhairle:** Will you learn to have manners, stick to Standing Orders and respect the Chair, please?

**Deputy Joe Higgins:** On the matter of arrangements for the sittings the Tánaiste gave us the impression and explained that the finance committee would be a substitute for the Dáil. It was taken in good faith and we assumed this meant the Taoiseach would be here. Otherwise, what is the point of it?

**An Ceann Comhairle:** Will you resume your seat, please? Thank you very much. Is there something you wish to raise on the Order of Business?

**Deputy Joe Higgins:** It is on the Order of Business. I seek a response from the Tánaiste.

**An Ceann Comhairle:** We are discussing promised legislation.

**Deputy Mary Lou McDonald:** Yesterday, the Taoiseach and the House set out in the clearest and most strenuous language that the abuse and sheltering of abusers which has come to light in respect of the Roman Catholic Church will not be tolerated and that any undue interference by the Vatican would not only be viewed negatively, but would have negative consequences for the relationship between this State and that one. I acknowledge fully the sincerity of Ministers Shatter and Fitzgerald in respect of the State's obligation to protect fully our children. We demand of the church or any other private institution that they respect the laws of the land. We have to be very sure that the laws of the land are robust and are implemented. In that respect, when we come back in the autumn, I ask that the child welfare and protection agency Bill, the children first Bill and the national vetting bureau Bill have realistic timetables, and that, having castigated the church, we do not have a situation in which the State fails our children.

**The Tánaiste:** As far as this Government is concerned, the State will not fail our children. The Government has responded very quickly to the Cloyne report and its implications. The Minister for Children and Youth Affairs and the Minister for Justice and Equality have set out the legislative measures the Government will take, and they will be progressed. The Taoiseach yesterday set out very clearly the Government's reaction to the interventions by the Vatican. As the Deputy is aware, I have sought a formal response in respect of that from the Vatican.

With regard to the legislation, the children first Bill is being worked on as a priority and we expect the heads of that Bill will be before the Government shortly.

**Deputy Éamon Ó Cuív:** Three referenda are promised. My understanding was that they would be run with the presidential election. The time is getting very short. What plans are there to have the consultation process set up by the commission and to have these referenda, allowing that we are not coming back until 14 September? Will the Tánaiste clarify whether these referenda will go ahead on 21 October, the date which I understand is proposed for the presidential election?

**The Tánaiste:** The Minister for the Environment, Community and Local Government has not yet set a date for the presidential election. It is intended that the three referenda will be held on the same date as the presidential election and this will mean that the legislative provisions for those referenda will be before the House when we come back. The Taoiseach has given an undertaking to party leaders that when texts are settled, there will be consultation after that.

**Deputy Éamon Ó Cuív:** It is a very tight timeframe.

**The Tánaiste:** It is.

**Deputy Éamon Ó Cuív:** The Tánaiste said there is no official date but we are all aware that a date was mentioned at a certain party convention. If it is a later date, so be it, but there is a finite date by which the presidential election must be held because the seven years will be up.

Is it possible to get a detailed timetable of what is proposed in terms of the date for the legislation, getting it through both Houses, how much debate we will have and the details of the setting up of the commission?

**Deputy Damien English:** Does Deputy Ó Cuív want to plan his campaign?

**Deputy Éamon Ó Cuív:** All of this takes time. Given what the Tánaiste has said, it would appear that from the time the Dáil recommences the Government has exactly one month and seven days, which is a very short timeframe to get legislation through both Houses, deal with basic issues and satisfy all the constitutional requirements for having a referendum.

**The Tánaiste:** When we are in a position to do so, we can communicate a timetable to the Opposition parties. Again, it is for the Minister for the Environment, Community and Local Government to set the date and that date has not yet been set.

**Deputy Timmy Dooley:** I seek the assistance of the Ceann Comhairle in clarifying the situation next week in regard to a report from the European meeting today. The Tánaiste has been helpful in indicating that the finance committee—

**An Ceann Comhairle:** I will ask the Tánaiste to repeat what he said earlier.

**Deputy Timmy Dooley:** As a member of the finance committee, I would like to know the procedures, whether the committee is due to sit and whether the Minister for Finance or the Taoiseach will come before the committee to address the matter.

**An Ceann Comhairle:** This is not a place to discuss committee business. However, to be helpful, the Tánaiste might clarify what he has already said.

**The Tánaiste:** The information I have been given is that the finance committee will convene next Tuesday at 4 p.m. and that it will consider the outcome of the summit today. First, we do not yet have an outcome. As other Members have said, some summit meetings can be entirely predictable and the issues concern the conclusions that are reached, their form or whether further work must be done later. We cannot predict the outcome of that meeting other than to say we very much hope there will be a positive outcome from that summit meeting today. That has been the way in which the Government has prepared for it.

This is really a matter for the committee. I do not know who the committee has invited and that is a matter for it. Obviously, the Government will decide who will make a presentation to the committee, and that will to some extent depend on the outcome of the summit.

**Deputy Brendan Ryan:** Is the proposed review of the impact and possible re-balancing of the universal social charge under way as yet? What will be the terms of reference of that review? Who is best placed to assess the impacts of those charges and, therefore, best placed to carry out the review? When will the review be complete? It is important—

**An Ceann Comhairle:** We are dealing with promised legislation.

**Deputy Brendan Ryan:** It is important, given the possibility of other charges such as property charges, that the impact is integrated into any discussion on those charges.

**An Ceann Comhairle:** Is there legislation in this area?

**The Tánaiste:** The review of the universal social charge will be considered as part of the preparations for the budget.

**An Ceann Comhairle:** I call Deputy Higgins. Is the Deputy all right?

**Deputy Joe Higgins:** I was going to suggest the arrangement for a full report back from the EU leaders summit next week would necessitate the Taoiseach being present. I was a member

of the finance committee and Deputy Boyd Barrett and I are going to request the Chairman to request that the Taoiseach be in attendance.

**An Ceann Comhairle:** That is fine. You can do what you like.

**Deputy Richard Boyd Barrett:** The Chairman told us yesterday he was going to be there.

**Deputy Joe Higgins:** We cannot have a real report back unless the Taoiseach is there because he will be the man who has been at the summit.

**An Ceann Comhairle:** We have dealt with that issue. I call Deputy Crowe.

**Deputy Seán Crowe:** In view of the summer weather we are having——

**An Ceann Comhairle:** You must be living in a different country than I am.

**Deputy Seán Crowe:** Is legislation needed regarding the establishment of an early flood warning system?

**An Ceann Comhairle:** I suggest you had better talk to the man above.

**Deputy Seán Crowe:** There is a serious aspect. Is legislation needed to establish the early flood warning system body? There was a previous Fine Gael Private Members' motion in the House on the issue. This body is supposedly being established.

**The Tánaiste:** I do not believe legislation is promised in this regard and I am not sure legislation is necessary. The issue of early flood warnings can be pursued with the Minister responsible for the Office of Public Works.

**Deputy Willie O'Dea:** I understood the Tánaiste to say he expects the legislation on the JLCs to be prepared in time for the return of the Dáil. Do I take it that this legislation will be debated here in September?

**The Tánaiste:** What I said is that the Government is treating the preparation of that legislation as a matter of priority. As Deputy O'Dea is aware, it is quite complex, particularly given the nature of the judgment given by the courts. It is a priority for the Minister and we hope to have that legislation early in the new session.

### **Estimates for Public Services 2011**

**The Tánaiste:** I move the following revised Estimates:

#### **Vote 24 — Charitable Donations and Bequests (Revised Estimate)**

That a sum not exceeding €115,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2011, for the salaries and expenses of the Charitable Donations and Bequests Office.

#### **Vote 27 — Community, Equality and Gaeltacht Affairs (Revised Estimate)**

That a sum not exceeding €104,934,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2011, for the salaries and expenses of the Office of the Minister for Community, Equality and Gaeltacht Affairs, for certain services administered by that Office, and for the payment of certain grants and grants-in-aid.

**Vote 39 — Health (Revised Estimate)**

That a sum not exceeding €343,785,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2011, for the salaries and expenses of the Office of the Minister for Health and certain other services administered by that Office, including miscellaneous grants.

**Vote 40 — Health Service Executive (Revised Estimate)**

That a sum not exceeding €12,312,440,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2011, for the salaries and expenses of the Health Service Executive and certain other services administered by the Executive, including miscellaneous grants.

**Vote 41 — Office of the Minister for Children and Youth Affairs (Revised Estimate)**

That a sum not exceeding €173,843,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2011, for the provision of certain services in respect of children and youth affairs, including miscellaneous grants and grants-in-aid.

**Vote 43 — Children and Youth Affairs (Revised Estimate)**

That a sum not exceeding €221,863,000 be granted to defray the charge which will come in course of payment during the year ending on the 31st day of December, 2011, for the salaries and expenses of the Office of the Minister for Children and Youth Affairs, for certain services administered by that Office, and for the payment of certain grants and grants-in-aid.

Votes put and agreed to.

**Passenger Name Record Data: Motions**

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

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

a proposal for a Council Decision on the signature of the Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service,

a copy of which was laid before Dáil Éireann on 10th June, 2011.

Question put and declared carried.

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

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

a proposal for a Council Decision on the conclusion of the Agreement between the European Union and Australia on the processing and transfer of Passenger Name Record (PNR) data by air carriers to the Australian Customs and Border Protection Service,

a copy of which was laid before Dáil Éireann on 10th June, 2011.

Question put and declared carried.

### **Mutual Recognition of Protection Measures in Civil Matters: Motion**

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

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

a proposal for a Regulation of the European Parliament and of the Council on mutual recognition of protection measures in civil matters,

a copy of which was laid before Dáil Éireann on 13th June, 2011.

Question put and agreed to.

### **International Agreements: Motions**

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

That Dáil Éireann approves the terms of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, signed at Luxembourg on 29th April, 2008, which was laid before Dáil Éireann on 15th January, 2009.

Question put and agreed to.

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

That Dáil Éireann approves the terms of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, which was signed on 6th October, 2010, and laid before Dáil Éireann on 4th July, 2011.

Question put:

The Dáil divided: Tá, 93; Níl, 21.

Tá

Bannon, James.  
Barry, Tom.  
Breen, Pat.  
Broughan, Thomas P.  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Catherine.  
Byrne, Eric.  
Calleary, Dara.  
Carey, Joe.

Coffey, Paudie.  
Collins, Áine.  
Conaghan, Michael.  
Conlan, Seán.  
Connaughton, Paul J.  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Cowen, Barry.  
Creed, Michael.

Tá—*continued*

Daly, Jim.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Deering, Pat.  
 Doherty, Regina.  
 Donnelly, Stephen.  
 Dooley, Timmy.  
 Dowds, Robert.  
 Doyle, Andrew.  
 Durkan, Bernard J.  
 English, Damien.  
 Farrell, Alan.  
 Feighan, Frank.  
 Ferris, Anne.  
 Fitzgerald, Frances.  
 Fitzpatrick, Peter.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Fleming, Sean.  
 Gilmore, Eamon.  
 Griffin, Brendan.  
 Harrington, Noel.  
 Harris, Simon.  
 Hayes, Brian.  
 Hayes, Tom.  
 Heydon, Martin.  
 Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.  
 Kehoe, Paul.  
 Kelleher, Billy.  
 Kenny, Seán.  
 Kitt, Michael P.  
 Kyne, Seán.  
 Lawlor, Anthony.  
 Lynch, Ciarán.

Lynch, Kathleen.  
 Lyons, John.  
 McCarthy, Michael.  
 McEntee, Shane.  
 McFadden, Nicky.  
 McGinley, Dinny.  
 McGrath, Michael.  
 McLoughlin, Tony.  
 Maloney, Eamonn.  
 Mathews, Peter.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Naughten, Denis.  
 Neville, Dan.  
 Ó Fearghaíl, Seán.  
 Ó Riordáin, Aodhán.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Dowd, Fergus.  
 O'Mahony, John.  
 O'Reilly, Joe.  
 O'Sullivan, Jan.  
 Phelan, Ann.  
 Phelan, John Paul.  
 Reilly, James.  
 Ryan, Brendan.  
 Shatter, Alan.  
 Shortall, Róisín.  
 Smith, Brendan.  
 Spring, Arthur.  
 Stanton, David.  
 Timmins, Billy.  
 Twomey, Liam.  
 Wall, Jack.  
 White, Alex.

Níl

Boyd Barrett, Richard.  
 Collins, Joan.  
 Colreavy, Michael.  
 Crowe, Seán.  
 Daly, Clare.  
 Doherty, Pearse.  
 Flanagan, Luke 'Ming'.  
 Fleming, Tom.  
 Healy, Seamus.  
 Higgins, Joe.  
 McGrath, Finian.

McLellan, Sandra.  
 Murphy, Catherine.  
 Ó Caoláin, Caoimhghín.  
 Ó Snodaigh, Aengus.  
 O'Brien, Jonathan.  
 O'Sullivan, Maureen.  
 Pringle, Thomas.  
 Stanley, Brian.  
 Tóibín, Peadar.  
 Wallace, Mick.

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

Question declared carried.

### Standing Orders of Dáil Éireann: Motion

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

That, notwithstanding anything in Standing Orders or the Resolution of the Dáil of 5th April, 2011, in respect of Standing Orders 26 and 36, the following amendments be made to the Standing Orders of Dáil Éireann relative to Public Business until further notice in the 31st Dáil:



(a) The substitution of the following for Standing Order 19:

‘19. (1) The quorum necessary to constitute a meeting of the Dáil, other than a meeting at which business comprehended by Standing Order 117A is to be considered, shall be twenty members. [See S.O. 77]

(2) The quorum necessary to constitute a meeting of the Dáil for the purpose of considering business comprehended by Standing Order 117A shall be ten members. [See S.O. 77]’;

(b) *Topical Issue Debates*

In Standing Order 20, the substitution of ‘or while a matter brought forward in accordance with Standing Order 27A is being considered’ for ‘or while a matter brought forward in accordance with Standing Order 21(3) is being discussed’;

(c) *Earlier Sitting time on Tuesday*

The substitution of the following for Standing Order 21:

‘21. (1) Unless the Dáil shall otherwise resolve—

(a) the Dáil shall meet every Tuesday at 2 p.m.; and every Wednesday, Thursday and every first Friday of a month at 10.30 a.m., and

(b) the proceedings on any business under consideration shall be interrupted (or if the Dáil be in Committee, progress shall be reported and leave asked to sit again) and the Dáil shall adjourn—

(i) every Tuesday and Wednesday at 9 p.m.,

(ii) every Thursday at 5.45 p.m., and

(iii) on the first Friday of each month at 1.30 p.m.:

Provided that if an Order shall have been made under Standing Order 22, that the hour at which business is to be interrupted be other than that specified in this paragraph, the provisions of this Standing Order with such substitution shall otherwise apply.

(2) If, at the time appointed for the interruption of business as provided in paragraph (1)(b) of this Standing Order, the closure is moved or proceedings under the closure are in progress, the Ceann Comhairle will not effect such interruption until the proceedings under the closure, and on any such further motion as is specified in the Standing Order as to closure [S.O. 66] have been completed.

(3) If, at the time appointed for the interruption of business as aforesaid,

(a) a division is in progress or has been ordered to be taken, or

(b) the debate on an item of business has concluded,

the interruption shall not take place until after the decision has been declared from the Chair. If the decision is on an amendment, or on an amendment to the amendment, after such declaration the Ceann Comhairle shall proceed to put in proper sequence the Questions necessary to bring proceedings to a conclusion.’;

(d) *Streamlining of the Order of Business*

In Standing Order 26—

(a) in paragraph (2)(a), after ‘by announcement’, the insertion of ‘on Tuesdays, immediately after Questions to the Taoiseach, and on Wednesdays and Thursdays, immediately after Leaders’ Questions,’,

(b) the deletion of paragraph (2)(b), and

[Deputy Paul Kehoe.]

(c) in paragraph (3), before ‘, the Ceann Comhairle’ the insertion of ‘, and subject to proceedings comprehended by paragraph (2) and this paragraph not exceeding 30 minutes on Tuesdays and Wednesdays and 20 minutes on Thursdays’;

(e) *Leaders’ Questions to be taken by the Tnaiste on Thursdays*

In Standing Order 27—

(a) in paragraph (a), the substitution of ‘Tuesdays, Wednesdays and Thursdays’ for ‘Tuesdays and Wednesdays’,

(b) the addition of the following paragraph:

‘(d) On Thursdays the provisions of this Standing Order shall apply with the substitution of “Tánaiste” for “Taoiseach”.’;

(f) *Topical Issue Debates*

The insertion of the following new Standing Order before Standing Order 28:

‘27A.(1) Any member may give notice in writing, not later than 10 a.m. on a Tuesday, Wednesday or Thursday on which the Dáil meets, of a matter which he or she wishes to bring forward on that day for consideration as a topical issue.

(2) The Ceann Comhairle shall select a maximum of four such matters on each Tuesday, Wednesday and Thursday: Provided that the matters selected must relate to public affairs connected with a Department of State or to matters of administration for which a member of the Government or Minister of State is officially responsible (including bodies under the aegis of a Department of State in respect of Government policy).

(3) Matters selected by the Ceann Comhairle shall be considered—

(a) on Tuesdays, immediately after the Order of Business,

(b) on Wednesdays, immediately after Questions to a member or members of the Government, and

(c) on Thursdays, immediately before Questions to a member or members of the Government.

(4) Consideration of each topical issue shall consist of—

(a) a statement by the member who has given notice which shall not exceed 4 minutes,

(b) a statement in reply by a member of the Government or Minister of State which shall not exceed 4 minutes,

(c) a further statement by the member who has given notice which shall not exceed 2 minutes, and

(d) a concluding statement by the member of the Government or Minister of State concerned which shall not exceed 2 minutes:

Provided that the total time allowed for consideration of topical issues on any day shall not exceed 48 minutes: Provided further that the Dáil shall not divide on any matter arising out of such consideration.

(5) A list of the matters in respect of which notice has been given under this Standing Order and the name of the member concerned in each case shall be printed in the Official Report of the Debates.

(6) The Ceann Comhairle shall have regard to requests made pursuant to Standing Order 40A(7) in selecting matters in accordance with this Standing Order.’;

(g) *Friday Sittings for Members to introduce their own legislation*

In Standing Order 28—

(a) the substitution of ‘the ordinary routine of business in the Dáil on Tuesdays, Wednesdays and Thursdays shall be as follows’ for ‘the ordinary routine of business in the Dáil shall be as follows’,

(b) the substitution of ‘Other than when the Dáil meets to consider business comprehended by Standing Order 117A, the ordinary routine of business in Private Members’ time [S.O. 117] shall be as follows’ for ‘The ordinary routine of business in Private Members’ time [S.O. 117] shall be as follows’, and

(c) the addition of the following:

‘When the Dáil meets on the first Friday of a month to consider business comprehended by Standing Order 117A, business shall be confined to a Bill selected in accordance with that Standing Order.’;

(h) *Reform of Standing Order 32 procedures*

In Standing Order 32, the substitution of the following for paragraphs (2) and (3):

‘(2) Where the Ceann Comhairle considers the motion to relate to a specific and important matter of public interest requiring urgent consideration (and to otherwise be one contemplated by this Standing Order), the member shall be called upon by the Ceann Comhairle immediately before the Order of Business, whereupon the member shall rise in his or her place and shall read the notice given but may not elaborate thereon.

(3) Where the requirements of this Standing Order have been otherwise complied with, the Ceann Comhairle shall thereupon desire the members who support the request to rise in their places. If not less than twelve members rise accordingly, the Ceann Comhairle shall give leave to make the motion, which shall be moved at 7.30 p.m. on a Tuesday or Wednesday or 3.30 p.m. on a Thursday, or at such hour on the day on which the request is made as the Dáil may appoint.’;

(i) *Topical Issue Debates*

In Standing Order 35—

(a) in paragraph (3), the substitution of ‘Standing Order 27A’ for ‘Standing Order 21’, and

(b) In paragraph (4), the substitution of ‘Standing Order 27A’ for ‘Standing Order 21’;

(j) *Earlier Sitting time on Tuesday; Changes to Taoiseach’s Parliamentary Questions on Tuesdays and Wednesdays*

In Standing Order 36—

(a) the substitution of the following for subparagraph (1)(a):

‘(a) Questions for oral answer to the Taoiseach may be taken for one hour after Leaders’ Questions on Tuesdays.’,

(b) the substitution of the following for subparagraph (1)(b):

‘(b) Questions for oral answer to other members of the Government may be taken—

(i) from 2 p.m. to 3.15 p.m. on Tuesdays,

(ii) from 2.30 p.m. to 3.45 p.m. on Wednesdays, and

(iii) from 4.30 p.m. to 5.45 p.m. on Thursdays.’;

and

(c) the substitution of the following for paragraph (2):

‘(2)

[Deputy Paul Kehoe.]

The time allowed for Questions nominated for priority for any one day shall not exceed thirty minutes.’;

*(k) Changes to Taoiseach’s Parliamentary Questions on Tuesdays and Wednesdays*

In Standing Order 37, the substitution of the following for paragraph (1):

‘(1) Questions addressed to the Taoiseach shall be placed on the Order Paper before Questions to other members of the Government to be asked on the same day. Any Question to the Taoiseach which is not disposed of shall be placed on the Order Paper for the next day on which the Taoiseach is to answer Questions before Questions to the Taoiseach to be asked on that day: save that a Question to be answered by the Taoiseach may be placed before Questions to be answered by a Minister of State at his or her Department.’;

*(l) Standard of Information provided in response to Parliamentary Questions*

The insertion of the following new Standing Order before Standing Order 41:

‘40A. (1) A member of the Government shall, in replying to a Question asked on notice, address each and every request for information contained therein.

(2) A member who is of the opinion that, in relation to a Question put down by him or her, the member of the Government concerned has failed to comply with paragraph (1) may communicate such opinion in writing to the Ceann Comhairle not later than two days after the Question has been answered, not reckoning a Saturday, Sunday or public holiday, identifying the specific request or requests for information not addressed in the reply and requesting that the provisions of this Standing Order be applied in order to remedy such failure.

(3) If and to the extent that he or she agrees with the opinion of the member concerned, the Ceann Comhairle shall communicate his or her opinion that there has been a failure to comply with the provisions of paragraph (1) in writing to the member of the Government concerned.

(4) A member of the Government who has been advised in writing that the Ceann Comhairle is of opinion that there has been a failure to comply with the provisions of paragraph (1) shall, not later than 12.30 p.m. on the day following the communication of such opinion, furnish to the Ceann Comhairle a response in writing to each of the requests for information in relation to which there has been, in the opinion of the Ceann Comhairle, a failure to comply with paragraph (1).

(5) Each and every response received pursuant to paragraph (4) shall be included in or otherwise be associated with the Official Report of the Debates to which it relates.

(6) A Question in relation to which the Ceann Comhairle has formed the opinion that the member of the Government concerned has failed to comply with paragraph (1) shall not be taken into account for the purposes of paragraphs (3) or (4) of Standing Order 35.

(7) A member who is of the opinion that a response furnished by a member of the Government in accordance with paragraph (4) has failed to comply with paragraph (1) may communicate such opinion in writing to the Ceann Comhairle not later than two days after the response has been furnished to the Ceann Comhairle, not reckoning a Saturday, Sunday or public holiday, identifying the specific request or requests for information not addressed in the response and requesting that the matter be selected for consideration as a topical issue. [See S.O. 27A];

*(m) Friday Sittings for Members to introduce their own legislation*

In Standing Order 68, paragraph (2), the insertion of ‘unless otherwise provided for in Standing Orders and’ after ‘a division shall.’;

*(n) Friday Sittings for Members to introduce their own legislation*

The substitution of the following for Standing Order 117:

‘117.(1) Subject to paragraph (2) of this Standing Order—

(a) Government business or Private business, as the case may be, shall be interrupted on Tuesdays and Wednesdays between 7.30 p.m. and 9 p.m. to take private members’ business: Provided that, where leave has been given to make a motion under Standing Order 32, such motion shall have priority, and

(b) the Order Paper shall otherwise be confined—

(i) on Thursdays, to Questions, Private business and Government business, and

(ii) on the first Friday of every month, to one Bill initiated by a private member and selected for consideration pursuant to Standing Order 117A.

(2) A member of the Government may move, without notice, at the commencement of public business on any Tuesday or Wednesday that, on that day or during the period specified in the motion, specified Government business or Private business, as the case may be, shall not be interrupted if under consideration at the time fixed for taking private members’ business. Such motion shall be decided without amendment.’;

(o) *Friday Sitzings for Members to introduce their own legislation*

The insertion of the following new Standing Order before Standing Order 118:

‘117A.(1) Any member other than a member of the Government or Minister of State may give notice that he or she wishes to bring forward for consideration, on the first Friday of the month following, a Bill that has been initiated by him or her and that is listed on the Order Paper at Second Stage or order for Second Stage: Provided that such notice shall be received by the Clerk not later than 11 a.m. on the second preceding Friday.

(2) Where notice from more than one member has been received, the Bill to be considered on the next first Friday shall be determined by lot.

(3) A Bill to be considered on the first Friday of the month pursuant to this Standing Order shall be set down for Second Stage and the time allowed for the debate on the motion for second reading shall not exceed a period of three hours in the aggregate.

(4) The Ceann Comhairle shall, where a division has been demanded at such sitting, postpone the taking of such division until immediately after the Order of Business on the next day on which the Dáil shall sit.’;

and

(p) *Friday Sitzings for Members to introduce their own legislation*

In Standing Order 121, paragraph (2), the substitution of ‘The time allowed for the debate on the motion for the second reading of a Bill initiated by a private member, other than a Bill to be considered on the first Friday of a month [See S.O. 117A], shall not exceed a period of six hours in the aggregate.’ for ‘The time allowed for the debate on the motion for the Second Stage of a Bill initiated by a private member shall not exceed a period of six hours in the aggregate.’.”

I wish to share time with Deputy Joe Carey.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Paul Kehoe:** The Fine Gael-Labour Government has committed in our programme for Government to radical reform of our entire political system. Dáil and Oireachtas reform is one aspect of what is long-overdue reform of our political system.

[Deputy Paul Kehoe.]

I am pleased to recommend to the House a package of reform measures which represents the first phase of the Government's Dáil reform programme. Dáil reform is the shared responsibility of every Member of this House. In the just over four months since the change of Government, the deputy Government Whip, Deputy Emmet Stagg, and I, as Chief Whip, have had a number of meetings with the three Opposition Whips to progress the Dáil reform agenda. These meetings have been very productive because the Whips from all the parties have engaged in the process in a very open-minded, positive and constructive way.

The Government has now brought forward a set of reforms that includes commitments outlined in the programme for Government, issues raised by the Opposition Whips and administrative changes designed to improve the efficiency of the Dáil. These reforms have been discussed at the Dáil reform committee and the Committee on Procedure and Privileges and are now before the House for approval of Members.

This is the first phase of a programme of Dáil reform designed to be implemented over the lifetime of this Government. Work will commence in the autumn on the second phase of the reform which will consider further recommendations made by the Ceann Comhairle and members of the Opposition as well as commitments in the programme for Government that remain outstanding.

The impact of the reforms contained in today's proposals will have a transformative effect on this Dáil. Members on 14 September, following a shortened summer recess, will return to a different Dáil, with new rules and improved procedures. They will return to a Dáil where Members can play a more active and meaningful role in the legislative process and where Members will have more opportunity to raise issues with Ministers in a more effective manner. They will return to a Dáil better equipped to hold the Executive to account, a Dáil that has started to turn back the tide and to recover some of the power it has been losing to the Executive for over a decade. The most important improvements proposed in this first phase of Dáil reform include a topical issue debate. A new system of topical issue debates will be introduced to allow Members to raise topical issues with a Minister for the relevant Department in the Dáil Chamber in the middle of the sitting day. The new topical issue debates will replace the current Adjournment debates. The Adjournment debate system is seen as an afterthought to Dáil business rather than one of the primary ways in which Deputies, including Government Deputies, can hold the Government to account. The Adjournment debates scheduled at the end of the sitting day are often overlooked and forgotten. In recent years, the practice of a junior Minister reading scripts on behalf of a number of Departments about a range of issues unrelated to his or her Department has developed. In opposition Labour and Fine Gael criticised the format of the Adjournment Debate especially when Ministers who had no connection with the Department responded to the debate. We made a commitment in the programme for Government to reform this system and now we will.

Time will be allocated for 12 topical issue debates during the full sitting week and these debates will be held in the middle of the Dáil sitting day and not the last thing before the Dáil adjourns for the day. On Tuesdays, four topical issue debates will start at 5:06 p.m.; on Wednesdays, four topical issue debates will start at 3.45 p.m.; and on Thursdays four topical issue debates will start at 3.42 p.m. Each item selected for the topical issue debate will be given an allocation of 12 minutes. The proposer will introduce the debate for four minutes; the Minister or Minister of State will have four minutes to reply; the proposer will have two minutes for a supplementary question; and the Minister or Minister of State will have two minutes for a concluding statement.

The Minister or Minister of State for the relevant Department will, except in exceptional circumstances, be the one to respond to the debate on behalf of the Government. The new system of topical issue debates will give Deputies in the Dáil the opportunity to raise current issues with a Minister from the relevant Department early in the Dáil sitting day. This is a vast improvement on the existing system and I believe it will be welcomed by Deputies across the House.

Leaders Questions will be taken by the Tánaiste on Thursdays with 21 minutes allocated on Thursday at 10.30 a.m. before the Order of Business to allow the Opposition parties raise issues in a Leader's Questions format. These questions will be taken, except in exceptional circumstances, by the Tánaiste. Leader's Questions are the most high profile and effective method by which Opposition parties hold the Government to account. They are the main focus of media attention on any sitting day, even being televised live on RTE One on Wednesdays. By increasing the weekly allocation of Leader's Questions by 50% the Government is voluntarily providing the Opposition parties an opportunity to hold the Government to account in the Dáil Chamber.

There will be Friday sittings for Deputies to introduce their own legislation. This change will enhance the legislative role of Deputies. Under the current system the Executive has almost a monopoly on the formation of legislation in the Dáil. Opposition Deputies can only use Opposition Private Members' time to introduce a Bill and Government Deputies have no such outlet. The new system will allow Deputies an opportunity to be part of the law-making process by giving them an opportunity to write and publish their own Bills and then submit those Bills to be debated in the Dáil. The Dáil will sit on the first Friday of every month and this sitting will be dedicated to providing time to allow Deputies introduce their own Bills.

**An Ceann Comhairle:** The Minister of State's time has concluded.

**Deputy Paul Kehoe:** All Deputies who are not holders of ministerial office will be allowed to avail of this system.

Procedures will be introduced whereby Deputies, who believe that the reply received to a parliamentary question fails to address the issues raised, can refer the matter to the Ceann Comhairle to decide if reasonable information has been provided.

I believe the reforms we have set out in the House are meaningful and I thank the Members opposite and the Deputy Government Whip, Deputy Stagg, for being so forthright in bringing proposals forward. I thank the Opposition Whips for their help in this also.

**Deputy Joe Carey:** I am delighted to have the opportunity to speak on this very important matter. Political reform and reform of the Dáil was a very important issue on the doorsteps during the general election campaign. The programme for Government commits to radical reform of our political system of which Dáil and Oireachtas reform is a critical component. Reform of how we conduct our business in this Chamber has been long spoken about, but we have not seen any changes taking place. I congratulate the Government Whip, the Minister of State, Deputy Kehoe, on hitting the ground running, on taking this crucial issue on board and on introducing these reforms today. He is to be commended on bringing these about in the first session of the 31st Dáil.

I also commend the approach of all the Whips, including the Opposition Whips in this process. I was privileged to be a Member of the last Dáil and our views on Dáil reform were not taken on board. It is a welcome change. It is also important to recognise that this is a first phase of a package of Dáil reform. The work of the Dáil reform elements will come in during the lifetime of the Government.

[Deputy Joe Carey.]

I wish to focus on one element. The topical issue debate will replace the Adjournment Debate and will be taken in the middle of the sitting day. It is a welcome step that will allow such issues to become alive in the Chamber. The Minister or Minister of State will be required to answer a supplementary question and will make it more meaningful. I welcome the introduction of these reforms and look forward to coming back after the break and seeing them in practice.

**Deputy John Lyons:** I welcome the opportunity to speak today on behalf of the Labour Party section of the coalition on the motion to change Standing Orders. The changes, which are proposed to take effect from 14 September, are the first step of the Government's plan for the radical reform of our entire political system. Both Labour and Fine Gael gave a commitment in our election manifestos to reform how business is done in this House to make it more efficient, effective and accountable. These reforms were endorsed by the electorate and are reflected in our programme for Government. We have been given a democratic mandate to implement these commitments and we are delivering on them.

These changes also reflect the contributions of the members of the Committee on Procedure and Privileges, who have contributed much to these changes. This set of proposals also reflects input from the Opposition Whips. Based on my recent experience as Labour Party assistant Whip and being a member of the CPP, there seems to be a very positive relationship between both sides of the House and I commend everybody on their efforts and on voicing their opinions. I would like to think those opinions have been listened to.

I also thank the Ceann Comhairle for his detailed contribution on these changes. His experience and advice have been invaluable in the formation of these measures. I know I speak for Deputy Stagg in saying that we look forward to giving further consideration to more of his proposals in the autumn.

There is a long history of work done on these issues with no outcome, but this time it is different. This time we have real positive proposals for change in how we do business in this House. With these proposals we are undertaking to make better use of the time available to us in this House to legislate and to hold the Executive to account.

While some of these points have been made already, it is important to point out the changes that will be implemented in September. The Dáil will commence earlier on Tuesdays at 2 p.m. Topical issue debates will replace the current Adjournment Debate. The Standing Order 32 procedures for raising urgent issues will be reformed. A time limit will be introduced for the Order of Business. We will provide for Leaders Questions to be taken by the Tánaiste on Thursdays. A new procedure will allow Dáil Deputies raise issues regarding replies to parliamentary questions. There will be changes to Taoiseach's Questions on Tuesdays and Wednesdays. There will be extra Dáil sitting days on the first Friday of every month to provide time for Deputies to introduce their own Bills.

It is important to note the origin of these proposals. These commitments were given in the respective manifestos of Labour and Fine Gael. These proposals came from parties which had spent 14 years in opposition and witnessed 14 years of inaction on Dáil reform. This experience of opposition means that the changes are in the interest of those now in opposition. There is therefore a large measure of agreement on these measures because of the origins of the proposals.

We know the Dáil must be able to hold the Executive to account, and this first step and the steps to follow will greatly strengthen the hand of Dáil Éireann in that regard.



Two of the measures of this reform agenda are crucial to how we function as a Parliament. The first relates to the primacy of power being held by elected public representatives. In recent years, power has been taken from the House and transferred to nameless persons holding positions in unaccountable bodies. This was a policy instrument to abdicate Government responsibility and weakened our parliamentary democracy and the power of the people.

In autumn, the Government Whips will start work on the next phase of Dáil reform in consultation with the Opposition Whips. The next step in the programme for reform will concern returning more power to the Dáil. In this we will propose to return to Deputies the right to raise parliamentary questions on the activity of the bodies to which I referred. Since these bodies deal with the people's money, the people are entitled to ask questions about how it is spent. This is an undertaking in the programme for Government and will mean that Members will be able to ask questions of and get replies from Ministers who have quangos under their remit. My colleague and deputy Government Whip, Deputy Stagg, recently told the House that "real power in democracy is the power to ask a question and get an answer". I agree with him that this feature has been removed in recent years by the reduction in the Chamber's power. We propose to return that power.

We also propose reforms relating to the standard of information to be provided in response to parliamentary questions. Procedures will be introduced for Deputies who have issues with the details of replies to their parliamentary questions. These issues will be referred to the Ceann Comhairle to decide if reasonable information has been provided. The Ceann Comhairle can refer a matter back to the Minister with a request for further information. If the reply from the Minister is still unsatisfactory in the view of the Deputy who originally asked the question, he or she can request that the Ceann Comhairle schedule the issue as a topical issue debate. This fair appeals procedure will increase the power of Deputies to access information and fulfil their roles as elected representatives.

There will be Friday sittings for Deputies to introduce their own legislation. This is probably the most important element of Dáil reform as it constitutes the creation of a new parliamentary space for non-officeholders to legislate. From September, the Dáil will sit on the first Friday of every month. This sitting will be designed to provide time to consider Second Stage of Bills introduced by Members. Any Deputy who is not a holder of ministerial office and who has published a Bill can submit it to be debated in the Chamber on one of these Friday sittings. Bills submitted will be selected by a lottery system a minimum of two weeks before the sitting day on which the Bill is to be debated to allow the proposing Deputy and the Department concerned to prepare. No vote will be held during these Friday sittings. Rather, they will be held on the next sitting day after the Order of Business.

This Friday time will be much in demand and there exists the possibility to introduce approximately eight to ten new Bills each year. It will give significant additional powers to Opposition parties and increase involvement by non-officeholders through contributing legislation.

This is the first step in a programme of reform to be implemented over the lifetime of the Government. The introduction of a Dáil reform package just four months into the Government's life shows a genuine commitment to deliver on reform. We are delivering on our commitments outlined in the programme for Government to sit longer and do more. With this and other measures, we will bring greater effectiveness and accountability to how we do business. After more than a decade of inaction, the issue of Dáil reform is not only back on the agenda, real progress is at last being made on the issue.

**Deputy Seán Ó Fearghaíl:** As I rise to participate in this debate, it occurs to me that the party and Independent Whips may be accused of having had something of a love-in. There has been positive engagement between us all and a collegial approach to the reform agenda. My

[Deputy Seán Ó Feargháil.]

party is unhappy with some of the elements contained in this package, but we will not oppose it, as we see merit in a number of its proposals. We are fully committed to the process embarked upon by the Chief Whip and the incremental approach being taken. We will work with him on phases two and three. We are also struck by the fact that he has given firm commitments to the effect that none of this is written in stone and that we are taking these proposals through a trial process. We expect he will honour his commitment that, if we find particular problems with these arrangements while we are working them out, matters can be revisited.

In the first weeks after the general election, all parties and groups expressed their absolute commitment to significant reform of the Dáil. A consistent theme was the need to increase significantly the opportunities for Deputies to hold the Government to account for its actions and to loosen the tight control exercised by the Government on the House's substantive business. The Taoiseach has repeatedly confirmed his intention to support radical reform.

Regrettably, while the package before the House has merit, in no way does it deliver on the substantial reforms promised by the Government. No single measure marks a radical departure in how we conduct business and a wide swathe of the promises contained in the past five years of Fine Gael and Labour policy documents are nowhere to be seen. Most disturbingly, key elements of the package mark a retrograde step, not least in terms of the answerability of the Taoiseach to the House. It is striking that the only significant change to our daily business is that of the topical issue debate, which I must welcome because it was included in the package of proposals initiated by Mr. John Curran, my predecessor as Fianna Fáil Whip.

It is also regrettable that the Government has chosen to spend so much time making fundamentally false allegations about the issue of reform by claiming there have been no reforms in the past 14 years. Deputy Lyons can be forgiven his allusion, as he was not a Member for the past 14 years, but other Members know that significant change was introduced by successive Fianna Fáil-led Governments.

**Deputy David Stanton:** Name one.

**Deputy Seán Ó Feargháil:** For example, the introduction of Leaders' Questions on the proposal of the then Chief Whip was the first major change since 1919, in that the Head of Government agreed to answer questions on any topic without notice. This Fianna Fáil initiative was taken to make the Dáil more responsive to the issues of the day and to give the leaders of the Opposition parties recognition and a significant platform at the most important points in our daily schedule. Nothing in today's proposals approaches the significance of this initiative. My party introduced another major structural reform, that being the development of a major research facility in the Houses to aid Members and enable them to get expert assistance on all matters before the Oireachtas.

Last week, the Tánaiste claimed that sitting past the first week of July was a major reform, but he chose to forget or not to mention that we have sat past the first week of July in each of the past three years. When in Opposition, many members of the Government got into the habit of being hyper-political in everything. This is understandable and it was reflected in their willingness to make promises they had no ability or intention to implement. Hence, the level of disappointment with this initiative felt by many Members.

The need for reform of the Dáil is clear. Most of our business is decided for us on Tuesday mornings around the Cabinet table. Members' contributions are generally brushed aside by Ministers. This is true in terms of general policy debates, the consideration of legislation and even direct questions. Important reforms were proposed last year and the only positive changes in today's package originate from the work of Mr. Curran and the last Dáil's Whips. What has

changed since then is that the demand for reform has increased and the need for it has become more urgent.

The Government has an unprecedented majority and is clearly intent on using it to push aside controversial matters. No Government in recent decades would have refused to acknowledge there was a serious problem with a Minister withholding vital information while guillotining a measure to restrict the work of a tribunal, which happened in recent weeks. Equally, no Government has refused to provide even a single piece of background information when imposing a €1.8 billion charge on the public. Attempts by the Opposition to seek reasonable information on matters before the Houses are routinely brushed aside by Ministers. After many years in government, Fianna Fáil was accused of being arrogant, but Members on this side of the House can conclude that Ministers not long in office are quite arrogant in the way they deal with questions.

**Deputy Paul Kehoe:** Perhaps it is the arrogance Fianna Fáil left behind.

**Deputy Seán Ó Feargháil:** I welcome the changes to allow for debate on topical issues. That is a positive initiative proposed by Fianna Fáil. It is important such debates are managed constructively and that we do not deal with a host of parish pump issues in the middle of the working day. Equally, it is important that we find a system under which Members who have concerns about legitimate constituency issues can raise them. We do not want to see a situation develop such as that at Westminster where government backbenchers come in with scripts to laud the work of particular Ministers; we want to have a more positive and meaningful role.

We also welcome the extended sitting times. We are concerned, however, about the proposed Friday sittings, a positive initiative in so far as it will allow an opportunity to discuss Private Member's Bills, but we had looked forward to a more substantive session that would involve legislation and Ministers answering questions the way they would during a routine sitting day. It is, therefore, something of a missed opportunity, although we recognise the importance of new initiatives such as Members having significant time to introduce Private Members' Bills. As others have mentioned, at the last election the message on the doorsteps was that those of us returned were to focus on national issues. This system gives us an opportunity to work on Private Members' Bill and legislation, an opportunity that was not provided previously. I note, however, that the people who were advocating more work on national issues are still coming to constituency clinics and demanding that local issues be dealt with.

The major weakness of the initiative concerns the accountability of the Taoiseach. Looking at the Taoiseach's current approach to answering questions, the initiative provides him with an opportunity to participate even less in giving an account to the House. He will spend half an hour less on questions, combined with the new aggressive approach by his office to transferring questions to other Ministers which has been the subject of heated debate on the Order of Business on a number of occasions. This is completely contrary to the personal and party promise he made. In his final press conference before the election he talked about reform and said the Taoiseach should spend more time answering questions. He gave an unambiguous commitment to attend and answer questions on Thursdays. The Minister for the Environment, Community and Local Government reiterated this commitment on 6 March when he said the Taoiseach was personally committed to answering questions on Thursdays. When the proposal for establishing committees was published, the Government hailed its own reforming zeal in cutting numbers. It did not, however, mention its intention to establish a raft of sub-committees which effectively carry out the work of the supposedly abolished committees. What happened was then disguised as reform. I am concerned about the lessening of the time the Taoiseach will attend the House, about the doing away with questions to the Taoiseach on Wednesdays and not honouring the commitment to come into the House on Thursdays. We welcome that

[Deputy Seán Ó Fearghaíl.]

the fact that there will be Leaders' Questions, but we would prefer to see the Taoiseach dealing with them.

**Deputy Aengus Ó Snodaigh:** I welcome this package of changes to the operation and running of the House. As a Member of the Oireachtas committee on Dáil reform for nine years, some of these ideas have been long sought and awaited. It was not always possible to get agreement at that committee, sometimes for party political reasons. The first Dáil reform committee from 2002 to 2007 was specifically held up because at the time the Labour Party and Fine Gael opposed any movement on Dáil reform unless the Taoiseach would make himself available in the Chamber on Thursdays to take Leaders' Questions. How times have changed; in fact, the Labour Party released the Taoiseach from that duty in a deal to overtake the Technical Group.

We can play politics with this issue, but that is not the point; the aim is to ensure the Dáil is as effective as possible and that Members' time is used as constructively as possible, allowing as many Members as possible to participate in debates and play a role in the parliament to which they have been elected. Some of these changes will have that effect, but there also problems. That is why I welcome the commitment given by the Chief Whip that this issue will be revisited in order that we can tinker with the mechanism, if required. It is a shame we did not have a longer debate as a group prior to today's presentation. That is the nature of this Dáil since it was elected; everything seems to be done in a rush. A programme was set out that insisted this must be passed now in order that it can take effect in September, but another one or two meetings might have been needed to ensure the proposals would deliver what was needed.

There are other issues that should be addressed in a Dáil reform package and which I will continue to push for inclusion in the next reform package. I encourage all Deputies, particularly newly elected Deputies, to continue to submit ideas to the relevant Whip or the Ceann Comhairle in order that we can ensure all ideas are taken on board.

When we contemplate major change along the lines of that presented, we must bear in the mind the implications for industrial relations and workers in the Houses. Because of the embargo, the staff of the Houses are working flat out and stretched to the limit and we are imposing additional sitting days on them. That was included in the programme for Government and we do not oppose it, but there are problems if we continually stretch out the number of hours the ushers, porters and transcribers all must work. We must recognise this issue and ask the Houses of the Oireachtas Commission to deal with it, if need be by seeking an exemption from the embargo to ensure the Houses can work effectively. It is not just Deputies who are needed to run this House, we need the support of the staff also.

I have no problem with the change to an earlier sitting time of 2 p.m. on Tuesdays; I have argued that the House should sit at 10.30 a.m. and that the work proposed to be done on Fridays should be done on Tuesday mornings. That would not require the attendance of a senior Cabinet Minister, taking the Cabinet meeting held on Tuesday mornings into account. That would allow us, if required, to sit on a Friday. It would also allow Deputies, especially rural-based ones, to continue the other work they must get on with on Mondays, Fridays, Saturdays and Sundays. It is not the case that TDs do not work on Fridays.

My major concern is that the time for the Taoiseach to attend the Chamber has been substantially reduced. It is a reduction of nearly 25% of the time during which the Taoiseach is accountable to the Dáil, other than on the Order of Business. Even though on Tuesdays the time for Taoiseach's Questions has been increased, there will be no such questions on Wednesdays. The programme for Government stated the Taoiseach would be more accountable, so we need to

address that matter. This may only be a temporary measure, however, so we need to discover whether there will be a second round of Leaders' Questions which might solve the problem.

I welcome the change to have topical issues discussed during the day, rather than having an evening Adjournment debate. I am concerned, however, that it should not be dominated by key spokespersons. It should not take away from the opportunities that currently exist for backbenchers to raise matters on the Adjournment. They are often local issues, which are important nonetheless — not about potholes, but major issues that may arise locally. There is no other mechanism to have such a debate with a Minister. I welcome the changes which mean there will be more of a debate with Ministers, rather than the stale exchange that now passes for a debate on the Adjournment. While the proposed changes are welcome, I sound that note of caution.

I welcome the promise by the Government Chief Whip that a senior Minister will engage in the proposed topical issues debate. Hopefully that will avoid having a Minister reading scripts back to a Deputy. While that is absolutely pointless in some respects, one does need to have a debate sometimes. I have attended Adjournment debates to raise points, but a Minister has then read out a script that has no relationship to what I asked. The Minister may then apologise and say "This is what I have been given". The proposal for a debate on topical issues is welcome, particularly as it will be in the middle of the day. In addition, a senior Minister will be present who, hopefully, will be on top of the brief and thus able to engage with the questions posed.

There are other proposals for 30 second issues and matters like that in future. We should examine them because they might provide a mechanism that would compensate for the loss of matters raised under Standing Order 32. Even though it may sometimes look like a waste of time, it is a vehicle that has been used quite effectively both by Government and Opposition backbenchers to raise issues of local or national importance. In that way, a Deputy can put on the record the fact that he or she attempted to raise a matter in the House. We should re-examine that proposal.

I welcome the proposal concerning Private Members' Bills. Anything that gives greater opportunities for TDs to present their own, or their party's, agenda is welcome. We are legislators so it might get some Members into the mode of examining legislation and producing their own legislative proposals. Since first having been elected to this House, I have produced a number of pieces of legislation so I know how arduous is that work. I have produced some single-line Bills which are easy, but I also worked on a substantial Bill last year concerning the control of head shops. It took an awful lot of work because I wanted to ensure the Bill was correct. I did not want to present something that could be shot down straight away.

While that proposal is welcome therefore, we should not oversell it because it amounts to an extra 28 hours a year, which is not a huge amount. It only comprises nine such Private Members' opportunities per annum of three hours each, which is not a substantial amount. In addition, it is shared across the board, so it is not just an Opposition facility but is also available for Government backbenchers. I know that many Government backbenchers are eager to use this facility when it is presented.

The proposal for Friday Dáil sittings is welcome, but it should not be used just to deal with Private Members' business. If the Chamber is full, we should also transact other business on that day, such as reports or other legislation. If the House is in session on Fridays, it should be open for the full day rather than three hours.

While I want to give a guarded welcome to the proposals, I look forward to working with the Committee on Dáil Reform and the Ceann Comhairle in dealing with other proposals that will be forthcoming for the second phase of Dáil reform, hopefully before Christmas.

**Deputy Catherine Murphy:** I wish to share time with Deputy Boyd Barrett.

**An Ceann Comhairle:** Is that agreed? Agreed.

**Deputy Catherine Murphy:** Despite the fact the Technical Group is quite disparate, we try to capture the essence of important issues and wish to engage positively in this reform process. We have quite a lot of ideas, some of which have received broad backing within our group, and others that emanated from individuals. While we are not opposed to the measures, we do have difficulties with some of them. Perhaps the biggest difficulty is that there is a big difference between having a vision that is delivered in increments, and a piecemeal approach. We are concerned that the latter approach is being taken. We want to see not just Dáil reform but also broader political reform.

I acknowledge that this is the first of three increments that have been promised on Dáil reform. However, it will not be possible to achieve real Dáil reform — where localism is placed where it should be, in the locality — unless there is meaningful local government reform. We will always be dominated by a local approach unless we also adopt local government reform. We must see both types of reform as part of a broader vision.

Like my Technical Group colleagues, I am in favour of political change, including Dáil reform. The public deserve nothing less. It was one of the three big topics raised on doorsteps during the general election campaign.

We must strike a balance between a formal and informal process of reform. The process itself was quite informal and while there was a positive aspect to that, the negative aspect was that there was not enough time towards the end. That lesson has been learned from this particular process.

We would like to have seen Ministers' question time changed so senior Ministers would have to attend the Chamber. We want to see a proper engagement in a full Chamber. I am disappointed, however, that is not on the agenda. It is not just about having people in the Chamber, but also having Members here to do meaningful things that the public can understand.

I support some of the points that have already been made concerning Friday sittings of the Dáil. We feel that such matters could be dealt with on Tuesday mornings, or even by lengthening the Tuesday evening sittings. We have no difficulty with Friday sittings so long as they are meaningful and include the Order of Business. We are concerned that having a quorum of ten Members is more about optics, although I acknowledge that what is intended is a serious change.

We would like to have seen something more serious done to address the issue of guillotines. Another issue with which we have serious concerns, is the inability of Members to raise points they feel strongly about. Earlier this week, Deputy Mattie McGrath was asked to leave the House because he wanted to make a point he felt strongly about. We sought a small change to Standing Order 26 to allow for a brief statement by a representative of each Opposition party or group. We were not seeking the right for every one of us to make such a statement, but only a representative. We thought that was a modest proposal to overcome a problem that will arise later this year because it was not addressed in the current batch of measures. The citizens of this country are sovereign. The Constitution says absolutely nothing about political parties. The architecture of the standing orders has been devised by political parties. We may be a nuisance to many people, but we are here for the next five years if this Government lasts that long. We want to play a meaningful role, but we do not want to be sidelined where we cannot have somebody stand up to represent our group. We thought that was a fairly modest change, and I am very disappointed it was not taken on board. We looked for others, but this was our primary concern with the standing orders.

We have concerns about the time limit being put on the Order of Business because we do not know how workable that is if votes are called. The Ceann Comhairle is then required to restrict people from raising legitimate things, so we have concerns about that. We are concerned that the topical debates will deliver too much localism. It will be down to each of us individually to make sure that does not happen. There was something akin to an education process during the last election campaign. This crisis happened because the focus of attention was not on national issues. We must make sure this Dáil stays focused on those national issues. I think people wanted us to come to this Parliament and not be paid over and above the very generous salary that we receive for roles such as chairing committees. That has not been addressed here.

We provided the Minister of State a comprehensive document on how parties are funded. Most members of our group do not get party funding and we are not looking for party funding. A party allowance is paid to the leader of each political party, but that is not possible with independents. If we agree to employ additional people to make our group function better, that should not be criticised.

We would also like to have seen less focus on the Whip system. There are independent thinkers in all political parties, as well as the independents. We would like to have seen a relaxation of the party Whip system to take account of that. We will continue to engage in the process, but we want to see that the process is meaningful and that this Dáil is a very different place at the end of its lifetime.

**An Ceann Comhairle:** Before calling on Deputy Boyd Barrett, I would like to correct the record. The reason Deputy Mattie McGrath was asked to leave the House was for continuously refusing to obey the ruling of the Chair, and not because he wished to raise a particular issue.

**Deputy Catherine Murphy:** I will tell him that.

**Deputy Richard Boyd Barrett:** I welcome the efforts to reform the Dáil. Although I was not here before to know what it was like, we felt some frustration at the procedures and protocols when it came to making the Dáil a place that can really be responsive to the issues that confront the country and which are brought to us by the public. I welcome the fact that the suggestions to bring in a stricter dress code were taken off the agenda, because people are overwhelmingly interested in political substance and not in style.

There are several good things in these proposals. Changing the Adjournment debates to topical debates and taking them in the middle of the day is a very positive proposal. The extension of Dáil sitting time on Tuesday and Friday to allow Private Members' Bills is a very positive move. There may be more required, but I welcome the fact that the Government sees this as the first part of a review of these procedures. It is a welcome change that we can question ministerial answers, as they are sometimes unsatisfactory. I should have a better knowledge of the standing orders, but it would be good if we moved away from completely scripted responses from the Government. Frankly, it is often difficult to work out what people are saying when they are reading from scripts.

More people should be in the Chamber for Ministers' questions. That is a basic reform that would reflect the public's expectations, which is to see more people in here. If we want to be heard, we should come in here. That seems to be a very reasonable proposal.

I would like to see some change in the Order of Business. This is not a criticism of the Ceann Comhairle, who is simply operating according to existing standing orders. I would like to see those standing orders loosened up a bit, not to make it a free-for-all, but to allow for very topical current issues to be raised at that point.

[Deputy Richard Boyd Barrett.]

People Before Profit and the Socialist Party are entitled to some party support, but we agree with the technical group that independents should have some support. People like Deputy Murphy are doing great amounts of work, but they do not get the resources that political parties receive for doing that work. It seems only fair and reasonable that they should get some support for that.

Substantially reducing the amount time allowed for questions to the Taoiseach in the Dáil is a retrograde step and I ask the Government to reconsider it. Time should be allocated on two days, but if it is to be reduced to one day, why not make it as long as Ministers' questions? These last an hour and a quarter.

**An Ceann Comhairle:** I call on the Minister of State to reply.

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** Can I share time with Deputy Stanton?

**An Ceann Comhairle:** No, that is not allowed. Unfortunately, only the Minister or the Minister of State may reply to the debate.

**Deputy Paul Kehoe:** Fine. I thank everybody who contributed to the debate. There has been much proactive debate about the issue of Dáil reform in recent months. I remind the Fianna Fáil Party Whip that the only reform introduced in the 14 years of the last Government was for Leaders' Questions. That was introduced by the Ceann Comhairle at the time because the Opposition leader, Deputy Noonan, put huge pressure on the procedures that were allowed for questioning the leader of that Government. That was the only reason it was introduced at the time. It was not introduced specifically by the Chief Whip. These reforms today might not go the whole way of reforming how the House works, but they are a path to making this a better debating Chamber than it has been in recent years.

Deputy Murphy spoke about Members being in the Chamber. I know of three committees that are currently sitting, including the health committee and the Committee of Public Accounts. Members of the technical group seem very concerned about having Members present in the Chamber, but I have only seen two members of that group present during this debate on Dáil reform. It is very easy to say that we must have 60 or 70 Members in the Chamber on a full-time basis, but other work of the House must also continue.

I refer to the work of the committees, party work, and representational work involving meeting groups and delegations.

**Deputy Richard Boyd Barrett:** That is not what we said.

**Deputy Paul Kehoe:** That is also part of a TD's work. We have to take that into account. People might have criticised the proposal to have Friday sittings but I believe they can work. It is a new proposal. Friday sittings of this House are very rare. Giving Members from all of sides of the House a chance to introduce their own Private Members' Bill represents a huge opportunity for people. I very much look forward to people who have been grandstanding for the last while about not having sufficient time or the opportunity to bring forward legislation to now doing so. I look forward to Deputy Boyd Barrett, Deputy Higgins and others bringing forward their own Private Members' Bills. When one brings forward a Private Members' Bill, one does not simply write the provisions to be included in it on the back of cigarette box. Meaningful thought and research is involved in that process. I very much look forward to that happening. We have excellent research facilities in the Library and Research Service of the House. The staff there would be only too willing to

*1 o'clock*



assist Members to bring forward their proposals. I very much look forward to Members across the divide in the House bringing forward their proposals.

On the streamlining of the Order of Business, everyone would agree that the Order of Business can turn into a circus at times. That is why we propose to limit the time of the Order of Business to 30 minutes on a Tuesday and a Wednesday and to 20 minutes on a Thursday morning. This Chamber is about passing laws, Bills and legislation. We need only consider the amount of time devoted to debating legislation in this House, but that is what we were elected to do. We were elected to debate legislation in the House as a national Parliament.

It is also important for people to be able to bring up local issues. Some people might call that parish pump politics but it is about bringing local issues to the attention of the House and that of the relevant Minister and for him or her to have an opportunity to reply to them.

We are extending the time allocated for oral parliamentary questions to Ministers on a Tuesday and the Dáil will sit earlier on a Tuesday. I want to ensure that a senior Minister, or a Minister relevant to the Department to which a Private Members' Bill is being addressed, will be present for the topical issue debate and debates on Private Members' Bills to give his or her view on the matter being debated.

I thank everyone for their co-operation. I believe this is a positive step forward for all Members. I believe it will ensure the Executive is held more to account.

**An Ceann Comhairle:** Before putting the question on the motion I want to correct a mistaken impression regarding the decision of the Committee on Procedure and Privileges regarding dress code. The dress code at the moment states that Members' dress should be in keeping with the dignity of the House. The decision of the Committee on Procedure and Privileges was to clarify what that means. That decision of the Committee on Procedure and Privileges stands and is dependent on when it is implemented, if and when a motion to change the existing code or to correct it or to give it a proper meaning is implemented.

Question put and agreed to.

### **Business of Dáil**

**Minister of State at the Department of the Taoiseach (Deputy Paul Kehoe):** I understand I am to move a motion to the Order of Business.

**An Ceann Comhairle:** I have not been supplied with it. I call the Minister of State at the Department of the Taoiseach.

**Deputy Paul Kehoe:** I move:

That notwithstanding anything in Standing Orders or the order of the Dáil today that Question Time shall be taken on the conclusion of No. 24, Central Bank and Credit Institutions (Regulations) (No. 2) Bill 2011; and No. 29a, the Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011, shall be taken on the conclusion of No. 22, Civil Law (Miscellaneous Provisions) Bill 2011, for 30 minutes.

Question put and agreed to.

### **Civil Law (Miscellaneous Provisions) Bill 2011: Report and Final Stages**

**An Leas-Cheann Comhairle:** Amendments Nos. 1 and 2 have been ruled out of order.

Amendments Nos. 1 and 2 not moved.

**An Leas-Cheann Comhairle:** Amendments Nos. 3 and 9 to 11, inclusive, are consequential and may be discussed together.

**Minister for Justice and Equality (Deputy Alan Shatter):** I move amendment No. 3:

In page 8, line 1, to delete “*sections 26 to 28*” and substitute the following:

“*section 21* insofar as it refers to section 21 of the Equal Status Act 2000 and *sections 26 to 28*”.

Amendments Nos. 3, 9 and 10 are simply technical amendments to improve the text. Amendment No. 11 adds another subsection to section 21 of the Bill to amend section 75 of the Employment Equality Act of 1998. Its purpose is to remedy an omission in the Act of 1998 to protect the independent functions of the officer delegated to hear and issue a decision in a discrimination case.

Section 75(7) of the Act of 1998 refers to the arrangements under which delegation to an equality officer by the director of the function of hearing a case will operate. However, this provision currently refers only to cases referenced under section 77 of the Act in relation to employment matters. It does not make reference to cases referred under section 21 Act of 2000 concerning discrimination in the supply of and access to goods and services or under section 86 of the Act of 1998 concerning collective bargaining. It is proposed to correct these omissions by the amendments now proposed. It is an important tidying-up measure in the context of the relevant legislation and I hope it will be supported by the House.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 4:

In page 8, line 7, to delete “1996 to 2002” and substitute “1996 and 2002”.

This is a technical amendment to correct the reference to the Equality Acts in order that the right reference is made.

Amendment agreed to.

**An Leas-Cheann Comhairle:** Amendment No. 5 is consequential on amendments Nos. 19 to 25, inclusive. Therefore, amendments Nos. 5 and 19 to 25, inclusive, may be discussed together.

**Deputy Alan Shatter:** I move amendment No. 5:

In page 8, to delete lines 12 and 13 and substitute the following:

“(10) *Sections 6, 12 and 29(g)* and *sections 48 to 54* shall come into operation on such day or”.

Amendment No. 5 is designed to ensure, as the text of the Bill is now being finalised, that the commencement provision is correct in regard to those sections of the Bill that will require a commencement order.

Amendments Nos. 19 to 25, inclusive, relate to the transfer of the family mediation service to the Legal Aid Board, something that was mentioned at an earlier Stage of the Bill but the amendments to provide for which we did not have an opportunity previously to table. The promotion of the mediation in the legal system is a commitment in the programme for Government. On Second Stage I said that, if possible, I would try to include in the Bill provisions for the transfer of the family mediation service to the Legal Aid Board. With the considerable

assistance of the Attorney General's office, the Parliamentary Counsel, the Legal Aid Board and my own officials, it is now possible to make legislative provision for this transfer.

I want to outline briefly the background involved to this proposal. The family mediation service, as Deputies know, assists people who have decided to separate or divorce and wish to avoid going through an adversarial process to negotiate their own agreement with the help of a mediator. Couples are encouraged to consult lawyers as they progress through the mediation process to ensure the final agreement is sustainable.

The service is offered to married, unmarried couples and same-sex couples and individuals who may have a child as a result of a very brief relationship. Family mediation can also help family members to resolve disputes such as sibling care of elderly parents, inheritance and child access and custody in cases of deceased parents. The process is voluntary and each individual has to confirm his or her willingness to attend mediation meetings. Mediation leads to better outcomes for families and children and the process is less adversarial and expensive than the courts.

In so far as I have any expertise in this area, I should declare an interest in that part of my professional training was in mediation to assist in the resolution of commercial and family disputes so that people do not have to go through the court system. For many years I have been an enthusiast for mediation. I had no involvement in the State mediation service but as a family solicitor I referred a number of individuals to it in the hope that they could resolve their difficulties, particularly in cases of broken marriages, without resorting to the courts.

The Family Mediation Service is staffed by professionally trained and accredited family mediators. It was established in 1986 as a three year pilot project under the Department of Justice. As a backbencher in this House during the 1980s I recall advocating for a mediation service. It is the first publicly funded mediation scheme in Europe. In 1993, the service was transferred to the newly formed Department of Equality and Law Reform and it moved again in 1998 to the reconstituted Department of Social, Community and Family Affairs. The Family Support Agency Act 2001 came into operation in 2003 to establish the Family Support Agency as a statutory agency. The Family Mediation Service came under the umbrella of that agency as one of its functions in terms of providing a direct service to the public.

The agency is now under the aegis of the Department of Children and Youth Affairs and, in turn, the Government has decided that the service should come under the aegis of the Department of Justice and Equality. It is appropriate that it is now being taken under the wing of the Legal Aid Board, having regard to the fact that the overwhelming majority of work done by the board and its law centres pertains to family law, the need to ensure cohesion and integration of services and providing a direct link between legal aid and the alternative of engaging in mediation. We can benefit from synergies between these two services by having the Family Mediation Service under the aegis of the Legal Aid Board. Furthermore, it is ceasing to travel every time Departments are rearranged, which is not helpful in terms of developing a coherent service in the public interest.

In May 2011, I launched the Dolphin House family mediation initiative, which is a joint initiative by the Legal Aid Board, the Family Mediation Service and the Courts Service. Dolphin House houses the District Court in Dublin which deals with a substantial number of family proceedings, including child custody, guardianship, access, maintenance applications and barring and safety orders. This pilot initiative provides mediation and legal aid services within the same location, with a view to encouraging more people to avail of mediation at less cost and stress when seeking to resolve disputes relating to custody and access. Initial indications on uptake are encouraging and it is expected that it will prove to be a blueprint for such services in the future. In recent years the Legal Aid Board has taken an active role in encouraging and

[Deputy Alan Shatter.]

facilitating greater use of mediation by its own solicitors and other options to help resolve marriage disputes in general. Its chairperson, Ms Anne Colley, also acts as chair of a steering group on the Dolphin House initiative.

I pay tribute to Ms Colley for the role she played as chairperson of the Legal Aid Board. She is approaching the end of her term and because of the statutory provision she is not eligible for reappointment. She performed an important and valuable function in her role as chair of the Legal Aid Board and Members on all sides of the House should recognise that she has shown an extraordinary commitment to her role.

In course of developing the Dolphin House initiative, it has become apparent that the Family Mediation Service could operate more efficiently and effectively if it is integrated with the Legal Aid Board. The Legal Aid Board would also benefit from the exercise because it would be in a position to steer the mediation service in a way that would increase the numbers using it, reduce demand for legal aid and court time, better establish the status of legal agreements and provide economies in the use of premises through collocation with law centres or courts, where possible.

The legislative proposals I am now moving will provide for the following: the transfer of responsibility for administration of the Family Mediation Service to the Legal Aid Board; the necessary amendments of the Family Support Agency Act 2001 and the Civil Legal Aid Act 1995; and the transfer of staff and property of the Family Mediation Service to the Legal Aid Board. The House will agree that it makes good sense to reorganise the Family Mediation Service in the way that I propose.

My overall strategy on mediation will at a later stage involve publication of a comprehensive mediation and conciliation Bill to provide a framework for the better operation of alternative dispute resolution mechanisms in our legal system. Much more use could be made of alternative dispute resolution and mediation than is currently the case not only in the area of family law but across a range of issues that result in civil litigation. I am pleased to note that the Commercial Court has made a considerable contribution to encouraging contesting parties and the lawyers representing them to use mediation on occasions where lengthy litigation and substantially costs would otherwise ensue. Proposals for a mediation and conciliation Bill are at an advanced stage of preparation by my Department and I look forward to bringing it before the House when it is has been completed and approved by the Attorney General.

**Deputy Dara Calleary:** I welcome the proposed measures. Will there be any resource implications for the Family Mediation Service as a result of its transfer to the Legal Aid Board?

I do not know Ms Anne Colley but the work of the Legal Aid Board under her stewardship has been exemplary, particularly at a time when demands for its services have increased due the economic pressures people are under. The Minister faces an important task in replacing her because it will be difficult to find someone with the calibre and commitment she has shown in her role. I wish her well.

**Deputy Jonathan O'Brien:** I welcome the amendments, which make sense from a structural point of view in terms of streamlining the service. Further to Deputy Calleary's question on resources, I ask the Minister to outline the implications of the move for the Department.

**Deputy Alan Shatter:** The resources that were made available last December to the Legal Aid Board and the Family Mediation Service will take them to the end of this year. The question of what funding will be made available next year has to be considered by the Government in the context of the ongoing expenditure review but the changes we propose will ensure

a more efficient use of resources. Important synergies will be achieved by making available to the Family Mediation Service premises in certain parts of the country which are already occupied by law centres. At present the operation of the service is somewhat constrained. I do not know and cannot tell the House what financial envelope of funds may be made available to me for both services. I regard both as very important and we dealt recently on Question Time with the Legal Aid Board. The difficulty this year is that based on last year's Estimates, the board is underfunded and because of the recession and so many families being in straitened financial circumstances, there has been a substantial increase in the numbers seeking assistance through centres.

I hope that in the context of resources, greater connectivity between the Legal Aid Board and the mediation service will result in many more estranged couples or parents using the service, especially dealing initially with custody and access disputes, many of which could be readily resolved in mediation but unnecessarily end up with hearings in the District Court. That may produce a resource saving as it may be the case that moneys otherwise spent on legal resources would not be required for particular individuals, freeing up the service for others for whom mediation is not a practical possibility.

I hope that we will see, under the encouragement of the Legal Aid Board and the service administered under it, far more people using the mediation service. Connectivity is important. The Dolphin House pilot scheme is very important, and one of the successes in mediation in other jurisdictions has been when mediation services have been established in the same building as court structures. On occasions individuals will, without lawyer advice, issue summons on custody or access issues and not go to mediation. When there is a mediation service in the building and where court clerks indicate the availability of such a service, a significant number of people may first try to use that type of service. That has been the experience elsewhere.

I see the areas of expansion and greater utilisation of mediation coming from a linking of this service with the administrative structures of the Legal Aid Board. It could consider some form of internal protocol to encourage the use of mediation. There would also be a linkage between the board, the mediation service and the Courts Service. I hope we will have funding in future for the extension of the pilot scheme currently operating in Dolphin House to other courts where a substantial number of family cases are dealt with each year.

Amendment agreed to.

Amendments Nos. 6 to 8, inclusive, not moved.

**Deputy Alan Shatter:** I move amendment No. 9:

In page 21, line 19, to delete "and".

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 10:

In page 21, to delete line 22 and substitute "a function under subsection (4)", and".

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 11:

In page 21, between lines 22 and 23, to insert the following:

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“(c) in subsection (7), by the substitution of “under section 77 or 86, or under section 21 of the Equal Status Act 2000—” for “under section 77—”.”.

Amendment agreed to.

**An Leas-Cheann Comhairle:** Amendments Nos. 12 and 13 are consequential on amendment No. 14 and amendment No. 15 is related to amendment No. 14. Amendments Nos. 12 to 15, inclusive, will be discussed together.

**Deputy Alan Shatter:** I move amendment No. 12:

In page 22, line 26, to delete “and”.

In accordance with Standing Order 140, I request the Chair to instruct the Clerk to make a correction in the Bill as amended in the select committee. The correction is as follows: on page 7, lines 33 and 34, the cross-reference to “section 18 to section 25” should be updated to read “sections 18 to 26”, to take account of the new section being inserted by amendment No. 15. I am required to bring this technical change to the attention of the House.

Amendments Nos. 12 and 13 are technical and improve the text. Amendment No. 14 adds another subsection to section 24 whose purpose is to clarify an ambiguity that arose in the amendment by the Equality Act 2004 of the text of section 79(6) of the Employment Equality Act 1998. So as to allow the Equality Tribunal to deal with certain procedural and factual issues, a new subsection (3A) was inserted in section 79 of the 1998 Act by the Equality Act 2004. The tribunal already had this power with regard to one specific instance under section 79(3) relating to the question of whether different rates of pay are lawful under section 19(5) and section 29(5). These sections provide that an employer is not prevented from paying different rates of pay to different employees on grounds other than discriminatory grounds.

A consequential amendment made by the Equality Act 2004 to section 79(6) does not make clear that subsection (6)(b) was also to be amended to refer to the new subsection (3A). This ambiguity is addressed by the proposed amendment, although I appreciate my explanation for it is somewhat complex. It is merely to tidy up an anomaly arising under legislation.

Amendment No. 15 corrects an omission in the Equality Act 2004. So as to allow the Equality Tribunal to deal with certain procedural and factual issues as preliminary matters, a new subsection (3A) was inserted in section 79 of the 1998 Act by the Equality Act 2004. The tribunal already had this power with regard to one specific instance under section 79(3) relating to the question of whether different rates of pay are lawful under section 19(5) and section 29(5). These sections provide that an employer is not prevented from paying different rates of pay to different employees on grounds other than discriminatory grounds. Section 83(5) of the 1998 Act, which provides for an appeal to the Labour Court against a decision of the director under section 79(3) and for referral of cases back to the director on resolution of preliminary issues, was not amended by the 2004 Act to include a corresponding reference to section 79(3A). The amendment is proposed to remedy this anomaly. As is clear to Deputies, there is a direct link between amendments Nos. 14 and 15, which are to essentially address the same difficulty that arose, depending on to whom the application was made to address an issue. These are technical amendments which I hope the House will support.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 13:

In page 22, line 35, to delete “the reference.” and substitute “the reference.”, and”.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 14:

In page 22, between lines 35 and 36, to insert the following:

“(d) in subsection (6)(b), by the substitution of “subsection (3) or (3A)” for “subsection (3)”.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 15:

In page 23, between lines 10 and 11, to insert the following:

26.—Section 83 of the Act of 1998 is amended, in subsection (5), by the substitution of “under section 79(3) or (3A)” for “under section 79(3)”.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 16:

In page 35, to delete lines 22 to 45, to delete page 36 and in page 37, to delete lines 1 to 36 and substitute the following:

32.—The Irish Nationality and Citizenship Act 1956 is amended—

(a) in section 2, by the insertion of the following definition:

“‘civil partner’ means a civil partner within the meaning of section 3 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010;”,

(b) in section 15 (amended by section 8 of the Irish Nationality and Citizenship Act 2004)—

(i) by the substitution of the following for subsection (1)(e):

“(e) has, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—

(i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and

(ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.”,

and

(ii) by the insertion of the following after subsection (3) (inserted by section 8 of the Irish Nationality and Citizenship Act 2004):

“(4) In this section and section 15A, ‘citizenship ceremony’ means a ceremony, held before a judge, or a retired judge, of the District Court, Circuit Court, High Court or Supreme Court, or such other person as may be designated for that purpose

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by the Minister, at a place and in a form approved by the Minister, at which the applicant has made the declaration and undertaking referred to in subsection (1)(e) or section 15A(1)(h)”,

(c) by the substitution of the following section for section 15A (amended by section 9 of the Irish Nationality and Citizenship Act 2004):

“15A.—(1) Notwithstanding the provisions of section 15, the Minister may, in his or her absolute discretion, grant an application for a certificate of naturalisation to the non-national spouse or civil partner of an Irish citizen if satisfied that the applicant—

(a) is of full age,

(b) is of good character,

(c) and that citizen—

(i) are married to each other, have been married to each other for a period of not less than 3 years, and are living together, as attested to by affidavit submitted by the citizen to the Minister in the prescribed form, or

(ii) are civil partners of each other, have been civil partners of each other for a period of not less than 3 years, and are living together, as attested to by affidavit submitted by the citizen to the Minister in the prescribed form,

(d) is, in the case of a spouse, in a marriage recognised under the laws of the State as subsisting,

(e) had, immediately before the date of the application, a period of one year’s continuous residence in the island of Ireland,

(f) had, during the 4 years immediately preceding that period, a total residence in the island of Ireland amounting to 2 years,

(g) intends in good faith to continue to reside in the island of Ireland after naturalisation, and

(h) has, before a judge of the District Court in open court, in a citizenship ceremony or in such manner as the Minister, for special reasons, allows—

(i) made a declaration, in the prescribed manner, of fidelity to the nation and loyalty to the State, and

(ii) undertaken to faithfully observe the laws of the State and to respect its democratic values.

(2) The Minister may, in his or her absolute discretion, waive the conditions at paragraph (c), (e), (f) or (g) of subsection (1) or any of them if satisfied that the applicant would suffer serious consequences in respect of his or her bodily integrity or liberty if not granted Irish citizenship.

(3) Paragraph (g) of subsection (1) shall not apply to an applicant for a certificate of naturalisation to whom subsection (4) applies.

(4) Any period of residence outside the Island of Ireland, during which—



(a) the applicant for a certificate of naturalisation to which this section applies was—

(i) married to and living with his or her spouse, or

(ii) in a civil partnership with and living with his or her civil partner,

and

(b) the applicant's spouse or, as the case may be, civil partner was in the public service,

shall be reckoned as a period of residence in the island of Ireland for the purposes of calculating—

(i) continuous residence under paragraph (e) of subsection (1), or

(ii) total residence under paragraph (f) of that subsection.”,

(d) in section 16 (amended by section 10 of the Irish Nationality and Citizenship Act 2004)—

(i) by the insertion in subsection (2)(a) of “, or is the civil partner of,” after “related by blood, affinity or adoption to”, and

(ii) by the insertion in subsection (2)(b) of “, or was the civil partner of,” after “related by blood, affinity or adoption to”,

(e) by the substitution of the following section for section 17 (amended by section 12 of the Irish Nationality and Citizenship Act 2004):

“17.—An application for a certificate of naturalisation shall be—

(a) in the prescribed form, and

(b) accompanied by—

(i) such fee (if any) as may be prescribed, and

(ii) such evidence (including statutory declarations) to vouch the application as the Minister may require.”,

(f) in section 19(1)(e), by the substitution for “act other than marriage” of “act, other than marriage or entry into a civil partnership,”,

(g) by the substitution of the following section for section 20:

20.—Acquisition of Irish citizenship by a person shall not of itself confer Irish citizenship on his or her spouse or civil partner.”,

(h) by the substitution of the following section for section 22:

22.—(1) The death of an Irish citizen shall not affect the citizenship of his or her surviving spouse, civil partner or children.

(2) Loss of Irish citizenship by a person shall not of itself affect the citizenship of his or her spouse, civil partner or children.”,

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and

(i) by the substitution of the following section for section 23 (amended by section 8 of the Irish Nationality and Citizenship Act 2001):

23.—A person who marries, or enters into a civil partnership with, a non-national shall not, merely by virtue of the marriage or civil partnership, cease to be an Irish citizen, whether or not he or she acquires the nationality of the non-national.”.”.

This deals with the issue of citizenship, which we have discussed at some length during the course of this Bill’s passage through the Houses. The purpose of the amendment is to make the necessary amendments to the Irish nationality and citizenship Acts to give effect to the Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010. Deputies will recall that I stated my intention to bring forward, as far as possible in the Bill, amendments to achieve that end. During the various Stages we have agreed certain changes to a number of sections in the relevant citizenship Acts, and much of the text of section 32 was agreed during Committee Stage debates.

For example, we provided statutory backing for citizenship ceremonies and improved recognition of the position of civil partners, thus making it easier for them to acquire citizenship. My amendment proposes the replacement of section 32 in its entirety so as to provide clarity on the legal position without having to visit a series of different enactments. I should explain that this is essentially a technical drafting device recommended by the Parliamentary Counsel to assist Deputies in better understanding what is being proposed, both in its entirety and in additional new elements. It will also assist the public and those who may give advice to individuals.

I propose to highlight those new elements regarding civil partners and citizenship ceremonies now being included on Report Stage, some of which were mentioned by me during the course of Second or Committee Stages. Paragraph (a) inserts a new definition of “civil partner” in section 2 of the 1956 Act. That is clearly necessary because of the changes we are making. Paragraph (b) provides for an amended description of a “citizenship ceremony” to allow such a ceremony to be held before “such other person as may be designated for that purpose by the Minister”, in addition to a judge or a retired judge. Such a person could be a county registrar, for example. Deputies will recall that when provision was originally made for citizenship ceremonies, it was stated that the swearing of the oath should take place before a judge or retired judge. As an individual of that nature might not be always available in circumstances in which a ceremony should take place, I have decided it is appropriate for the Minister of the day to be able to designate some other appropriate individual to administer the oath. This amendment will allow that to happen.

Further to what I mentioned earlier, I would like to inform the House that a series of citizenship ceremonies will take place in Cathal Brugha Barracks in Rathmines on Thursday and Friday of next week. A large number of people to whom citizenship has been granted will swear oaths and receive citizenship parchments or certificates. We hope to arrange a further citizenship ceremony outside Dublin in August, perhaps in Templemore. I am not sure if a retired or sitting judge will be available in August to administer the oath.

**Deputy Dara Calleary:** Perhaps such a person will be available if the ceremony takes place in Kerry.

**Deputy Alan Shatter:** We are anxious to ensure we do not develop a backlog of those to whom citizenship has been granted, as that would cause them to have to wait an undue amount of time before swearing their allegiance to this State and getting their certificates.

Paragraph (d) makes a number of amendments to section 16 of the 1956 Act. It amends the definition of “Irish associations” to include civil partners. Paragraph (f) amends section 19(1)(e) of the 1956 Act to include a reference to civil partnership. Paragraphs (g), (h) and (i) are being included to replace sections 20, 22 and 23 of the 1956 Act, respectively, with appropriate wording referring to civil partners or civil partnership. I hope this amendment will receive the support of the House.

Amendment agreed to.

**An Leas-Cheann Comhairle:** As amendment No. 18 is consequential on amendment No. 17, amendments Nos. 17 and 18 may be discussed together.

**Deputy Jonathan O’Brien:** I move amendment No. 17:

In page 39, to delete lines 36 to 44.

On Committee Stage, I raised the question of the number of possible fees that could be charged as a result of the changes we are making. Under the current proposals, one might have to pay a fee on application and, if one’s application is successful, another fee on receipt. We have discussed the reasoning behind it. Currently, if somebody is not granted permission, we have no way of getting any funding to recoup some of the resources we spent processing the application. It is important to bring some clarity to the matter. That is why a single fee would be appropriate. It is open to the Minister to determine whether the fee should be imposed on application or on the granting of permission. I ask him to consider accepting these amendments to bring some clarity to the matter. I do not think we should penalise people who are successful by making them pay a second fee.

**Deputy Alan Shatter:** I appreciate that previously the Deputy raised this issue and we discussed it. Section 19 of the Immigration Act 2004, as currently drafted, only makes provision for a fee to be charged for the giving of a permission under the Act. There is no provision for an application fee to be charged. My proposed replacement for that section remedies that situation by making it possible to charge an application fee, a fee for the giving of the permission, or both. The Deputy’s amendment would prevent me from doing this. The effect of his amendment No. 17 would be to delete the proposed new section 19(1)(a), which makes provision for the charging of a fee for an application for a permission, the giving of a permission, or both. Amendment No. 18, which is also in the Deputy’s name, seeks to amend section 19(1)(b) so that it provides for the power to charge a fee either for an application for a permission or the giving of a permission, but not both. It would also have the effect of waiving the registration charge in any case where the person has paid an application fee — not just when the foreign national registers for the first time, but also at renewal stage. It also prescribes that application fees should be paid to the registration officer, as opposed to the Minister, even though the registration officer may have no dealings with the case, for instance in an unsuccessful application. My proposed text would be a standard application fee to be charged in respect of permissions. That fee would be set at a level that would cover the administrative costs associated with receiving and investigating the application. If the application is granted, an additional fee could be payable. If the application is refused, no additional fee would be payable. If I were to be precluded from having this flexibility, as would be the case under the Deputy’s amendment, I would have to set much higher application fees. In this manner, failed

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applicants would be subsidising the cost of giving permission to successful applicants. Under the circumstances, I am afraid I cannot accept Deputy O'Brien's amendments.

**Deputy Jonathan O'Brien:** We are looking at two separate fees, one on application and one on permission. Is that what is proposed? In my amendments, I am proposing that there should be a single fee. There is no reason the fee cannot be the same in both circumstances, regardless of whether it is paid at the start, or over two stages. I do not understand from where the Minister is coming. Nothing in my amendments would prevent the Minister from charging a fee on application that would cover the entire process, including the registration of the certificate. Perhaps the Minister can clarify that.

**Deputy Alan Shatter:** As I explained previously, the difficulty arises in the cases of people who are unsuccessful in their applications. There is a benefit to one when one's application is successful. As matters stand, successful applicants essentially meet the expenses incurred by the State in determining the applications of unsuccessful applicants. It would be unfair to charge an unsuccessful applicant the full sum that would arise if the application were successful. That sum is partially based on a recognition of the benefits that accrue to an individual from a successful application. It would be unfair to maintain the current position whereby successful applicants meet the expense incurred in the processing of applications that are unsuccessful, some of which should not have been made in the first place. We want to create a degree of flexibility in this respect. That is why we are providing for the possibility of charging a relatively modest sum to applicants and levying a further charge on those who are successful. That is the intent and purpose of this section of the Bill. If we were to provide that the entire sum should be paid on application, it may act as a barrier to some individuals whose applications are inevitably going to be unsuccessful from making an application in the first instance. However, it could be unfair to some people who have no certainty as to the outcome of their applications. If unsuccessful, they would end up incurring the same level of expense as a person whose application succeeded. It is for that reason — not to be stubborn or unnecessarily difficult — that I cannot accept the Deputy's amendment.

**Deputy Jonathan O'Brien:** I thank the Minister. I have made my point. I do not want to hold up the proceedings by calling an electronic vote on these amendments. However, I will ask for a voice vote on them. I am eager to get to the section of the Bill dealing with the Official Languages Act. There will be much more debate on that.

Question, "That the words proposed to be deleted stand", put and declared carried.

Amendment declared lost.

**Deputy Jonathan O'Brien:** I move amendment No. 18:

In page 39, line 48, after "the" to insert the following:

"making of an application for, or the giving of, a permission and the".

Amendment put and declared lost.

**Deputy Alan Shatter:** I move amendment No. 19:

In page 46, after line 47, to insert the following:

"PART 16 FAMILY MEDIATION SERVICES

48.—In this Part—

“Agency” means the Family Support Agency;

“Board” means the Legal Aid Board;

“family mediation services” has the same meaning as it has in the Civil Legal Aid Act 1995 (inserted by *section 53* of this Act).”.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 20:

In page 46, after line 47, to insert the following:

49.—On the coming into operation of this section the functions of the Agency relating to family mediation services shall be transferred to and be a function of the Board.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 21:

In page 46, after line 47, to insert the following:

50.—(1) The Agency shall, as soon as practicable following receipt by it of a direction from the Minister for Children and Youth Affairs in that regard, transfer such land as may be specified in that direction to the Board.

(2) A direction referred to in *subsection (1)* shall be made with the consent of the Minister and the Minister for Public Expenditure and Reform.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 22:

In page 46, after line 47, to insert the following:

51.—(1) The Agency shall, as soon as practicable following receipt by it of a direction from the Minister for Children and Youth Affairs in that regard, transfer such rights and liabilities as may be specified in that direction to the Board.

(2) A direction referred to in *subsection (1)* may be made by reference to a class or classes of rights or liabilities.

(3) A direction referred to in *subsection (1)* shall be made with the consent of the Minister and the Minister for Public Expenditure and Reform.

(4) In the event of any doubt arising as to whether a right or obligation stands transferred to the Board in accordance with this section, the Minister for Public Expenditure and Reform may issue a determination as respects any such right or liability and such determination shall be admissible as evidence in any proceedings relating to the right or liability concerned.

(5) Every right or liability transferred to the Board pursuant to this section may, on and after such transfer, be sued on, recovered or enforced by or against the Board in its own name.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 23:

In page 46, after line 47, to insert the following:

52.—(1) Subject to the provisions of this section, such officers and members of the staff of the Agency who are designated by the Minister for the purposes of this section shall stand transferred to the Board on such day as may be specified for the purpose by the Minister.

(2) The designation of staff and the specifying of a day in accordance with *subsection (1)* shall be made with the consent of the Minister for Children and Youth Affairs and the Minister for Public Expenditure and Reform.

(3) (a) Subject to *paragraph (b)* every person who, immediately before he or she was transferred to the Board in accordance with *subsection (1)*, was an officer of the Agency shall, on such transfer, be an officer of the Board and hold an unestablished position in the Civil Service.

(b) Every person who, immediately before he or she was transferred to the Board in accordance with *subsection (1)*, was a fixed-term employee of the Agency shall, on such transfer, hold an unestablished position as a fixed-term employee of the Board for the unexpired duration of his or her contract of employment.

(4) Save in accordance with a collective agreement negotiated with any recognised trade union or staff association concerned, a person referred to in *subsection (1)* shall not, on being transferred to the Board, be made subject to less beneficial terms and conditions of service (including those relating to tenure of office) or of remuneration than the terms and conditions of service (including those relating to tenure of office) or of remuneration to which he or she was subject immediately before that transfer.

(5) The previous service of a person transferred under *subsection (1)* shall be reckonable for the purposes of, but subject to the exceptions or exclusions in, the following:

- (a) the Redundancy Payments Acts 1967 to 2007;
- (b) the Protection of Employees (Part-Time Work) Act 2001;
- (c) the Protection of Employees (Fixed-Term Work) Act 2003;
- (d) the Organisation of Working Time Act 1997;
- (e) the Terms of Employment (Information) Acts 1994 and 2001;
- (f) the Minimum Notice and Terms of Employment Acts 1973 to 2005;
- (g) the Unfair Dismissals Acts 1977 to 2007;
- (h) the Maternity Protection Acts 1994 and 2004;
- (i) the Parental Leave Acts 1998 and 2006;
- (j) the Adoptive Leave Acts 1995 and 2005;
- (k) the Carer's Leave Act 2001.

(6) Any superannuation benefits awarded to or in respect of a person transferred under *subsection (1)*, and the terms and conditions relating to those benefits, shall be no less favourable than those applicable to or in respect of the person immediately before the transfer.

(7) In this section—

“Civil Service” has the same meaning as in the Civil Service Regulations Act 1956;

“recognised trade union or staff association” means a trade union or staff association recognised by the Agency or the Board for the purposes of negotiations which are concerned with the remuneration, conditions of employment or working conditions of the persons concerned.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 24:

In page 46, after line 47, to insert the following:

53.—With effect from the coming into operation of *section 49* of the *Civil Law (Miscellaneous Provisions) Act 2011*, the Civil Legal Aid Act 1995 is amended:

(a) in section 1, by the insertion of the following definition:

“‘family mediation services’ means services designed to assist persons involved in the process of seeking—

(i) a separation,

(ii) a divorce,

(iii) a dissolution of a civil partnership,

(iv) payment of maintenance,

(v) an order of a court or an agreement relating to guardianship or custody of a child, or to parental access to a child, to reach agreement relating to some or all of such matters as relate to the persons concerned;”

(b) in section 5, by the substitution of the following for subsection (1):

“(1) The principal functions of the Board shall be:

(a) to provide, within the Board’s resources and subject to the other provisions of this Act—

(i) legal aid and advice in civil cases to persons who satisfy the requirements of this Act, and

(ii) a family mediation service;

(b) where the Board considers it necessary or expedient to do so to make arrangements for the provision of—

(i) family mediation services on its behalf by the engagement of persons appointed by it for that purpose, and

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(ii) training in family mediation, either by itself or by persons appointed by it for that purpose.”,

(c) by the insertion, after section 11, of the following section:

11A.—(1) The Board may appoint persons who it considers to be qualified by reason of training and experience, to provide family mediation services on its behalf or to provide training in family mediation.

(2) A person appointed pursuant to subsection (1) shall not be an officer or member of the staff of the Board.

(3) A person appointed by the Board pursuant to subsection (1) shall be appointed subject to such terms and conditions as may be determined by the Minister and the Minister for Public Expenditure and Reform.

(4) Subsection (2) shall not be construed as preventing the Board appointing a person as an officer or member of the staff of the Board in relation to the provision of a family mediation service by the Board.”,

(d) by the insertion, after section 36, of the following sections:

36A.—(1) Any communication (including any record of such communication) between any of the parties to a family mediation provided by the Board or provided by other persons appointed for that purpose by the Board under this Act, and a third party, including a mediator, for the purposes of attempting to reach agreement relating to such of the following matters as relate to the parties to the mediation—

(a) a separation,

(b) a divorce,

(c) a dissolution of a civil partnership,

(d) payment of maintenance,

(e) an order of a court or an agreement relating to guardianship or custody of a child, or to parental access to a child, shall not be disclosed and shall not be admissible as evidence in any court.

(2) Subsection (1) is in addition to and not in substitution for any other statutory provision.

(3) Nothing in this section shall prevent a party who is engaged in or who engaged in a family mediation communicating the progress made in that mediation to his or her solicitor and obtaining legal advice in relation to the matters the subject of the mediation.

36B.—(1) The Board shall, with the consent of the Minister, make guidelines with the objective of preventing the disclosure of communications referred to in section 36A.

(2) Guidelines made under subsection (1) shall include provisions relating to—

(a) the utilisation of premises for the purposes of family mediation services other than the premises where the solicitor of the Board is usually located who is acting



for a person who has been issued with a legal aid certificate under section 29 and who is a party to a family mediation provided by the Board or a person appointed by it, and

(b) the regular training of staff and officers of the Board and of persons appointed by the Board to provide family mediation services regarding the need to maintain confidentiality of communications made in connection with a family mediation.”,

and

(e) in section 37—

(i) by the insertion in subsection (2), after paragraph (f), of the following paragraphs:

“(fa) make provision as to the conditions relating to the provision of family mediation services by the Board;

(fb) prescribe fees or charges which may be charged by the Board in relation to the provision of family mediation services, which regulations may prescribe different fees or charges in relation to different classes of persons or different classes of cases;”

and

(ii) by the insertion after subsection (2) of the following subsection:

“(3) Regulations made pursuant to subsection (2)(fb) shall not prescribe fees or charges in relation to the provision of family mediation services where the parties to the mediation had agreed to enter such mediation before the coming into operation of section 49 of the *Civil Law (Miscellaneous Provisions) Act 2011*.”.

Amendment agreed to.

**Deputy Alan Shatter:** I move amendment No. 25:

In page 46, after line 47, to insert the following:

54.—Section 4 of the Family Support Agency Act 2001 is amended—

(a) in subsection (1), by the deletion of paragraphs (a) and (b), and

(b) in subsection (2), by the deletion of paragraph (a).

Amendment agreed to.

**Acting Chairman (Deputy McConalogue):** Amendment No. 26 is in the names of Deputies O’Brien and Ó Snodaigh. Amendments Nos. 27 and 28 are related. If amendment No. 26 is agreed, amendments Nos. 27 and 28 cannot be moved.

**Deputy Jonathan O’Brien:** I move amendment No. 26:

In page 50, to delete lines 14 to 39.

This is something we discussed on Committee Stage in relation to the Official Languages Act 2003. We resubmitted the amendment because we feel so strongly on it.

[Deputy Jonathan O'Brien.]

I will not go through the arguments because we must finish by 2 o'clock, which is unfortunate. Considering the number of amendments, we probably should have had a little more time on it.

Anything that diminishes the standing of the Irish language must be opposed by all Deputies in this House. I repeat my complete shock on hearing that it was the Minister for Arts, Heritage and the Gaeltacht who asked for this amendment to be included. We will be pressing the amendment to a vote.

**Deputy Aengus Ó Snodaigh:** I tabled a number of amendments which were ruled out for various reasons earlier and they capture my view of this section of the Bill. It is a dilution of the standing of the Irish language, which in many ways has only been achieved in recent years, especially since the passage of the Official Languages Act 2003. Prior to that, it had a standing in theory but it was not as well implemented as it should have been.

This is not necessarily the proper place for it in this legislation, but I have argued that all Bills should be contemporaneously published in the Irish language and the English language to allow us who wish to partake in a debate fully in the Irish language to do so, as, supposedly, is our right under the Constitution. We have not been able to enjoy that in this Dáil, nor in previous Dála. The only sop to the Irish language is that I can partake in the debate. I can contribute to this debate in the Irish language but I cannot contribute in writing to it. If I proposed amendments in Irish to legislation which is published in English, they would be ruled out, as amendments have been in the past.

This is part of a trend since this Government has come into being. It began with the passage of the Social Welfare and Pensions Bill 2011, where the provisions of the Official Languages Act 2003 were set aside on that occasion as well. Here, again, the Official Languages Act 2003 is being set aside to facilitate more dilution of it.

This is at a time when we are told there is a review of the Official Languages Act 2003. After the review, there might be some logic in the Minister stating that this provision would be required. However, prior to a review, there is none to start undermining an Act which is only in being eight years.

Subsequently, the Irish language had an increased status given to it by recognition in the European Union and here the Government is undermining at home that recognition and what was gained after a long campaign for many years. It is a retrograde step.

I will not unduly delay this because I argued most of the points on Committee Stage. In fact, all Committee Stage did was ensure that I would continue to fight this, which was the reason I tabled a number of amendments which stated there would be a sunset clause to this provision or that there would be other provisions which would prevent it occurring immediately or forever more.

My preference is to delete this section. The other amendment I suggested is that, if anything, the only provision should be that it could be published in the official State language if the Government would only publish it in one, namely the Irish language. I guarantee that would never happen and it would be published in both languages. There are few, if any, Bills or Acts which have been published in the Irish language only. It is easy to translate from the Irish language to the English language but there seems to be some type of a hiccup when it is the other way round. It would be much easier if, from the start, the Bills were published in both languages and then the amendments could be tracked and there would be virtually contemporaneous publication of the Acts in both languages shortly after their passage in the Houses of Oireachtas, as is done in many other Parliaments which are dealing with bilingual or trilingual societies.

**Deputy Dara Calleary:** I support Deputy O'Brien's amendment. It is unfortunate that we must split, because this has been a good debate on this legislation, because the Minister for Arts, Heritage and the Gaeltacht, Deputy Deenihan, has asked the Minister, Deputy Shatter to do it. Quite frankly, it is unbelievable that An Roinn Ealaíon, Oidhreachta agus Gaeltachta is looking for this provision, which seems to be in every piece of legislation. I tabled a question to the Minister for Arts, Heritage and the Gaeltacht today and it was ruled out of order because of the context of this debate.

The Official Languages Act 2003 is not perfect. It certainly has done much good, but it needs to be reviewed and streamlined. By inserting this clause we are doing what we have done with previous legislation, that is to say, giving direction to that review. Effectively, we are making the point in advance of that review starting that we intend to downgrade the status of the Irish language. Our MEPs were in the House before the Joint Committee on European Union Affairs today. We have fought long and hard to have Irish recognised as an official working language of the European Union. However, through this and other legislation we are attempting to diminish its status here and on that basis we support the amendments.

**Deputy Alan Shatter:** Amendments Nos. 26 to 28, inclusive, proposed by Deputies Ó Snodaigh and O'Brien relate to attempts to delete or amend the practical proposal in regard to immediate publication on the Internet of Bills in one of the official languages on enactment while we wait for several weeks for the translation in the other official language to become available.

I oppose these amendments. I have given the reasons behind the proposals at all previous Stages of the Bill in the House and I reiterate them. There is no question of diminishing the status of the Irish language. The reality is that we enact legislation through English, Bills are initially drafted in English, amendments are tabled in English and they appear initially in their final form in English. There is no point in engaging in a fiction or pretending it is different and depriving ordinary citizens of the country from having immediate access to legislation passed in the Parliament. It is an important right of citizens of the State to have ready access and, in so far as we can provide it, instant access to the legislation that we enact through both Houses. The changes are included in this Bill because it is a miscellaneous provisions Bill and it is a matter of civil law, not criminal law. It is appropriate that these changes are included in the Bill

Kicking the can down the road on this issue to include it in a different Bill will not change the problem, vary the issue or change the solution. The situation in practice has been that when Report Stage of Bills has been completed there has been an undue delay between the enactment of the Bills through both Houses and the publication of the final version of Bills as Acts in both the English and Irish languages. Under the Official Languages Act 2003 the issue is that upon proper and full publication an Act must be published simultaneously in both Irish and English. Since that legislation was passed, the use of electronic means to communicate has evolved and become more sophisticated. Deputies can access Bills on the web as they go through the various Stages. We are in the anomalous position that once a Bill has completed its passage through both Houses it seems that it cannot in its final form be immediately published and made available by way of electronic means because there must be a delay while translations are effected.

It makes no sense that access can be gained by electronic means to a Bill after it has passed Committee Stage in its new form, including any amendments, after it has passed Report Stage in one House, after it has passed Committee Stage in a second House, but that once it has completed Report Stage in the second House, that Bill may remain unpublished in its final form for some time. We must recognise the reality and the rights of citizens to gain access as rapidly as possible to legislation enacted in both Houses when it is in its final form following

[Deputy Alan Shatter.]

completion of the legislative process. The previous Government intended to include in its Civil Law (Miscellaneous Provisions) Bill 2010 a provision to address this issue and it had commenced work in that regard.

The current Attorney General has given the same advice as her predecessor, that is to say, that it is necessary to do this because there is a frailty in the law and it is unwise that we postpone it at any further. As I have stated already, the amendment was requested to be included in the Bill by the Minister for Arts, Heritage and the Gaeltacht, Deputy Jimmy Deenihan, and it is the advice of the Attorney General that it was necessary to be so included. There is no benefit to the workings of the House, to the people or to citizens living outside this country who may have an interest in legislation being passed in the House that may impact on their lives, that following or completing the process they cannot access it immediately in its final form through electronic means. This applies as much to this measure as it does to all measures enacted in the past. The benefit is that when this change is made in the case of all future legislation enacted within a short period after this process is complete the legislation will become available to those who wish to access it.

2 o'clock

Question put: "That the words proposed to be deleted stand."

The Dáil divided: Tá, 86; Níl, 35.

Tá

Bannon, James.  
Barry, Tom.  
Breen, Pat.  
Broughan, Thomas P.  
Bruton, Richard.  
Butler, Ray.  
Buttimer, Jerry.  
Byrne, Catherine.  
Byrne, Eric.  
Cannon, Ciarán.  
Carey, Joe.  
Coffey, Paudie.  
Collins, Áine.  
Conlan, Seán.  
Connaughton, Paul J.  
Coonan, Noel.  
Corcoran Kennedy, Marcella.  
Costello, Joe.  
Coveney, Simon.  
Creed, Michael.  
Daly, Jim.  
Deering, Pat.  
Doherty, Regina.  
Dowds, Robert.  
Doyle, Andrew.  
Durkan, Bernard J.  
English, Damien.  
Farrell, Alan.  
Feighan, Frank.  
Ferris, Anne.  
Fitzgerald, Frances.  
Fitzpatrick, Peter.  
Flanagan, Terence.  
Gilmore, Eamon.  
Griffin, Brendan.  
Harrington, Noel.  
Hayes, Tom.  
Heydon, Martin.  
Hogan, Phil.

Howlin, Brendan.  
Humphreys, Heather.  
Humphreys, Kevin.  
Keating, Derek.  
Keaveney, Colm.  
Kehoe, Paul.  
Kenny, Seán.  
Kyne, Seán.  
Lawlor, Anthony.  
Lynch, Ciarán.  
Lynch, Kathleen.  
Lyons, John.  
McCarthy, Michael.  
McEntee, Shane.  
McFadden, Nicky.  
McGinley, Dinny.  
Maloney, Eamonn.  
Mathews, Peter.  
Mitchell O'Connor, Mary.  
Mulherin, Michelle.  
Murphy, Dara.  
Nash, Gerald.  
Neville, Dan.  
Ó Ríordáin, Aodhán.  
O'Donovan, Patrick.  
O'Dowd, Fergus.  
O'Mahony, John.  
O'Reilly, Joe.  
O'Sullivan, Jan.  
Perry, John.  
Phelan, Ann.  
Phelan, John Paul.  
Quinn, Ruairí.  
Rabbitte, Pat.  
Reilly, James.  
Ryan, Brendan.  
Shatter, Alan.  
Shortall, Róisín.  
Spring, Arthur.

Tá—continued

Stanton, David.  
Timmins, Billy.  
Tuffy, Joanna.  
Twomey, Liam.

Varadkar, Leo.  
Wall, Jack.  
Walsh, Brian.  
White, Alex.

Níl

Boyd Barrett, Richard.  
Browne, John.  
Calleary, Dara.  
Collins, Joan.  
Collins, Niall.  
Colreavy, Michael.  
Cowen, Barry.  
Crowe, Seán.  
Dooley, Timmy.  
Ellis, Dessie.  
Flanagan, Luke ‘Ming’.  
Fleming, Tom.  
Healy, Seamus.  
Higgins, Joe.  
Kelleher, Billy.  
Kirk, Seamus.  
Kitt, Michael P.  
Mac Lochlainn, Pádraig.

McConalogue, Charlie.  
McGrath, Finian.  
McLellan, Sandra.  
Martin, Micheál.  
Murphy, Catherine.  
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 John Lyons and Paul Kehoe; Níl, Deputies Aengus Ó Snodaigh and Seán Ó Fearghaíl.

Question declared carried.

Amendment declared lost.

**An Ceann Comhairle:** As we have now passed the allocated time, I am required to put the following question in accordance with an order of the Dáil of this day: “That the amendments set down by the Minister for Justice and Equality and not disposed of are hereby made to the Bill, that Report Stage is hereby completed and that the Bill is hereby passed.”

Question put and agreed to.

### **Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011: Order for Report Stage**

**Minister for Justice and Equality (Deputy Alan Shatter) (Deputy Alan Shatter):** I move: “That Report Stage be taken now.”

Question put and agreed to.

### **Criminal Justice (Community Service) (Amendment) (No. 2) Bill 2011: Report and Final Stages**

**An Ceann Comhairle:** As there are no amendments to the Bill, we will proceed to Fifth Stage in accordance with the order of the House.

Question proposed: “That the Bill do now pass.”

**Minister for Justice and Equality (Deputy Alan Shatter):** I thank Members opposite for their assistance in completing the passage of the Bill through this House. This is a short but important

[Deputy Alan Shatter.]

Bill and if it completes its passage through the Seanad next week, the effect will be to ensure the courts will be in a position to implement it on their return in September after the summer vacation. In a case in which someone is convicted of a criminal offence and the judge is considering imposing a sentence of one year or less, an obligation will be imposed on members of the Judiciary to first consider the appropriateness of community service as an alternative to imprisonment. This constitutes a good change in public policy and I hope it will result in far greater use of the mechanism of community service orders to the overall benefit of the community, while at the same time saving the State money with regard to short-term imprisonments which do not achieve a great deal and in general are of no benefit to the community. I again thank Members opposite for their assistance in facilitating the completion of the passage of the Bill on the last sitting day before the summer vacation.

Question put and agreed to.

### **Environment (Miscellaneous Provisions) Bill 2011: Instruction to Committee**

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):**

I move:

That, pursuant to Standing Order 177, Standing Order 131 is modified to permit an instruction to the Committee to which the Environment (Miscellaneous Provisions) Bill 2011 may be recommitted in respect of certain amendments, that it has power to make provision in the Bill to amend the placename provisions of the Local Government Act 2001 and to change the name of *An Daingean* to *Daingean Uí Chúis* in the Irish language and Dingle in the English language; to provide essential technical amendments to the Planning and Development Act 2000 including amendments to enable the commencement of certain provisions of the Planning and Development (Amendment) Act 2010 which further implement the Environmental Impact Assessment Directive and the Birds and Habitats Directives; to provide for a new costs rule to apply to court proceedings that concern breaches of certain environmental licences or other consents and to certain other proceedings relevant to environmental matters; to amend section 6(2A) of the Local Government Act 1998, as amended by the Local Government (Roads Functions) Act 2007, to allow payments from the Local Government Fund to the Minister for Transport, Tourism and Sport to be expended on all public roads (National, Regional and Local) and in the provision of public transport infrastructure; and to change the title of the Bill to take account of these provisions.

I am pleased to have the opportunity to bring forward amendments to the Environment (Miscellaneous Provisions) Bill 2011 which will address a number of important issues, mostly of a technical nature. I am conscious of the importance of the legislative process and, equally, the value of the time of the House. Therefore, given the miscellaneous nature of the Bill, it was deemed to be an appropriate manner in which to deal with a number of issues which required attention but which of themselves would not justify the initiation of separate legislation. I will outline for Members the nature of the amendments under consideration.

The amendments I propose to local government law will substitute new provisions for the existing code in respect of the changing of placenames which is set out in Part 18 of the Local Government Act 2001. Other than section 197, the remaining provisions of Part 18 have not been commenced, due principally to the difficulty of local government law and the Official Languages Act 2003 working in harmony. In the absence of commencement, the Local Government Act 1946, as amended, provides the relevant statutory framework.

The new Part 18 will restate large elements of the existing code but with significant changes and some new provisions. In an effort to streamline the legislation, it will provide that the placename provisions are contained within one section, as opposed to four sections of the 2001 Act. Any proposal adopted by a local authority to change a placename must specify the proposed name in Irish only or in English and in Irish. There will be an explicit requirement that any plebiscite held must be by way of secret ballot and all proposals will require a resolution adopted by half of the total members of the council.

The incompatibility between local government law and the Official Languages Act has been brought into sharp focus by the long running controversy over the name of An Daingean, or Dingle. The amendment will also seek to solve that problem in section 191 of the new Part 18.

**Deputy Finian McGrath:** Bring back Jack.

**Deputy Phil Hogan:** He failed to do it, but I am doing it. As Members might recall, the official name of Dingle was changed to An Daingean by the Placenames (Ceantair Ghaeltachta) Order of December 2004 made by the Minister for Community, Rural and Gaeltacht Affairs under the Official Languages Act 2003. As is well documented at this stage, the change in name has provoked an extended debate, with significant opposition locally based on a perceived lack of consultation prior to the making of the placenames order and the wish to preserve the name “Dingle” from a tourism perspective. A campaign was established to change the name of the town to Dingle-Daingean Uí Chúis under the change of placename provisions of the Local Government Act 1946, as amended, to which I referred. In September 2005, the Attorney General advised that the local government code may not be used to change the name of a place already subject to a placenames order, as in the case of An Daingean and this advice was notified to Kerry County Council, the sponsoring authority for such a procedure under local government law. Notwithstanding the advice, the council proceeded to hold a plebiscite under the Local Government Act 1946, as amended, to ascertain whether the majority of qualified electors in the town consented to an application being made to the Government for an order to change the name of An Daingean to Dingle Daingean Uí Chúis. The proposal put to the electorate was carried overwhelmingly. Kerry County Council then resolved to apply to the Government to make an order under section 77 of the Local Government Act 1946, to change the name to Dingle Daingean Uí Chúis. However, in view of the earlier advice of the Attorney General, it was not possible to accede to the council’s request. Subsequent efforts by the previous Government to introduce legislation to deal with this issue were unsuccessful and I am, therefore, availing of the earliest possible legislative opportunity to undo the impact of the 2004 placenames order as it applies to An Daingean and to provide, in law, that the name of the town in the English language will be Dingle and in the Irish language will be Daingean Uí Chúis.

Of more general application, the proposals before the House today provide a more coherent, modern and streamlined set of procedures for changing placenames. They allow for greater recognition to be given to the Irish language generally when placename changes are proposed and they set responsibility for this function at local level, where it should properly reside.

The office of the Attorney General has advised that the insertion of a new part into the Environment (Miscellaneous Provisions) Bill, is urgently required to provide essential technical amendments to the Planning Acts. The amendments do not depart from the policy intent behind the amendments made by way of the Planning and Development (Amendment) Act 2010. The amendments in question will enable the commencement of certain provisions in the 2010 Planning Act, which further implement the environmental impact assessment directive and the birds and habitats directives. Certain amendments are required to settle EU complaints

[Deputy Phil Hogan.]

against Ireland and so must be urgently commenced to avoid incurring European Community fines.

I now wish to provide an overview of the planning amendments included in the new Part 4. Sections 8 and 9 amendments are standard definition sections. Section 10 is a technical amendment which restates the amendment to section 4 of the 2000 Planning Act, made by way of section 5 of the 2010 Planning Act, with required transitional provisions now included. Section 11 amends section 13 of the Planning Acts on foot of the transfer of the heritage function to the Minister for Arts, Heritage and the Gaeltacht and the role of that Minister in varying development plans. Section 12 is a consequential amendment to section 30 of the Planning Acts which is on foot of technical revision in this Bill to Part XAB of the Planning Acts. Section 13 amends section 50A of the Planning Acts to the effect that a court may now grant leave to apply for judicial review of planning applications, appeals, referrals and other matters where the applicant has a sufficient interest in the matter which is the subject of the application. Section 14 amends section 50B of the Planning Acts, which deals with legal costs in certain environmental matters. Sections 15, 16 and 17 are technical amendments to sections 57, 82 and 87 of the Planning Acts to clarify that exemptions given in the planning regulations do not apply to works to a protected structure or proposed protected structure and further, do not apply to works in architectural conservation areas or special planning control areas. Sections 18, 19 and 20 provide technical amendments to sections 130, 135 and 153 of the Planning Acts, respectively. Sections 21 and 22 provide technical amendments to sections 157 and 160 of the Planning Acts. These new sections have the same policy intent as sections 47 and 48 of the 2010 Planning Act but provide clearer legal text. Section 23 provides a technical amendment to section 170 of the Planning Acts to correctly reference Part X of the Planning Acts, which relates to Environmental Impact Assessment. Section 24 technically modifies the definition of “candidate special protection area”. Sections 25 to 29 are amendments to Part XAB of the Planning Acts to reflect the transfer of responsibility for heritage functions to the Minister for Arts, Heritage and the Gaeltacht. Sections 30 to 33 technically amend sections 181A, 181B, 182A and 182C. Section 34 amends the Seventh Schedule of the Planning Acts to clarify the type of health infrastructural development that should be sent directly to An Bord Pleanála under the strategic consent process. Section 35 provides for the repeal of certain sections of the Planning and Development (Amendment) Act 2010, which required technical amendment through this Bill.

The motion also provides for the inclusion of a number of new amendments in the Bill which, on the advice of the Attorney General, are necessary before the State can ratify the Aarhus Convention. They include a provision for a new costs rule and further provisions to specify the type of court cases to which the new costs rule will apply. These provisions also seek to give clarity in advance to applicants on the level of legal costs they may incur when taking such cases. As Deputies will be aware, the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, better known as the Aarhus Convention, was adopted in June 1998. The convention lays down a set of basic rules to promote citizens’ involvement in environmental decision-making. Ireland is the only EU member state yet to ratify the convention and commitment is pledged in the programme for Government to complete ratification. With Ireland’s Presidency of the European Union approaching in the first half of 2013, it is important that ratification takes place as soon as possible. The convention is linked to environmental legislation generally and is particularly relevant to decision-making on licensing issues such as waste licensing and air pollution licensing, for example. Owing to the relevance of the convention to a wide spectrum of environmental legis-



lation, it is considered appropriate to include the necessary legislative provisions in the Environment (Miscellaneous Provisions) Bill.

A technical amendment to section 70 of the Environmental Protection Agency Act 1992 was agreed on Committee Stage to complete implementation of Article 5 and the Committee Stage amendments proposed today will complete implementation of a number of other articles of the convention.

The amendment proposed to Section 6(2A) of the Local Government Act 1998, as amended by the Local Government (Roads Functions) Act 2007, will allow the Minister for Transport, Tourism and Sport, the power to expend moneys from the Local Government Fund on all public roads -national, regional and local — and on the provision of public transport infrastructure. The Local Government Fund was established under the Local Government Act 1998 and is financed from motor taxation receipts and an annual contribution from the Exchequer. Under section 3(2) of the Local Government Act 1998, as Minister for the Environment, Community and Local Government, I have responsibility for managing and controlling the fund. Responsibility for non-national roads transferred from my Department to the Department of Transport, Tourism and Sport in 2008. A protocol arrangement between the two Departments provided that funding for non-national roads would continue to be channelled on an annual basis from the Local Government Fund to the Department of Transport, Tourism and Sport. This amendment will allow the Minister for Transport, Tourism and Sport, discretion in the allocation of Local Government Fund moneys within his responsibilities for national and non-national roads and the provision of public transport infrastructure. This will permit the effective targeting of investment to those areas of transport infrastructure of highest national priority.

I have set out for the House the reasons for these necessary amendments and I ask that this motion be passed to allow for a formal discussion of these amendments during Report Stage of this Bill.

**Deputy Niall Collins:** I propose to share my time with Deputy Finian McGrath.

**Acting Chairman (Deputy Charlie McConalogue):** Is that agreed? Agreed.

**Deputy Niall Collins:** Fianna Fáil will not oppose this motion. I thank the Minister for his statement to the House. He has introduced a number of initiatives which had been discussed on Committee Stage.

The initiative regarding placenames is welcome. The Dingle situation was closely followed, especially by those living in the county. A similar but not such a high profile situation occurred in County Limerick with regard to the changing of the name of the village of Doon in east County Limerick. I welcome the clarification and the introduction of a clear set of guidelines as to how placenames may be altered if this is the will of the majority of the people.

I ask for clarification regarding some provisions outlined by the Minister:

Section 13 amends section 50A of the Planning Acts to the effect that a court may now grant leave to apply for judicial review of planning applications, appeals, referrals and other matters where the applicant has a sufficient interest in the matter which is the subject of the application.

I ask the Minister to expand on his definition of “sufficient interest”.

On the readvertising, the Minister has provided for significant further information to be lodged as part of a planning application. People in an adjoining property can seek leave to apply to An Bord Pleanála to appeal a decision if they have not made a submission in the

[Deputy Niall Collins.]

first instance to the planning authority. I ask the Minister to clarify that for us when he gets an opportunity.

Also, the Minister mentioned section 47. In regard to sections 21 and 22, these new sections have the same policy intent as sections 47 and 48 of the Planning Act but provide clearer legal text. My understanding of section 47 is that it is to do with sterilisation orders. Is that correct? The Minister might expand on that. According to the rural house guidelines, section 47 should be used in exceptional circumstances, but it is my experience in Limerick County Council that nearly every grant of planning permission for a single rural house is accompanied by a section 47 sterilisation order. The follow-on from that is that every grant of planning permission is an exceptional circumstance, and I would not like to think that is the case. We need to focus more, be it in this House or in committee, on section 47 and sterilisation orders because my experience is that local authorities are engaging in brinkmanship with applicants in that when deciding on a file, they tell them that if they sterilise the entire farm holding, they will give them planning permission and so on. That section is being abused to some extent.

The Minister mentioned health infrastructure developments. Is that to do with 100 bed facilities in that if an application is made for a facility in excess of 100 beds, it would have to go straight to An Bord Pleanála for a decision on planning permission rather than through the local authority? There may be merit in examining the possibility of making it apply to, say, a 50 or 60 bed facility because we have an under-supply of health facilities. I ask the Minister to clarify those issues when replying.

**Deputy Finian McGrath:** I thank Deputy Niall Collins for sharing time. I am grateful for the opportunity to speak on this Environmental (Miscellaneous Provisions) Bill 2011. I resent the way this legislation is being rushed through the House. Sixty five minutes is not enough time to debate it, and we all know the reason for that. The legislation as amended by the Government represents another major U-turn and broken promise.

I welcome the Minister, Deputy Hogan, and Deputy Kevin Humphreys to the Chamber because I have just received some information today that the Minister and the Deputy will be interested to hear. I do not know whether the Minister realises it but he is already making a name for himself across the north side of Dublin where he is called Poll Tax Phil with the introduction of these new charges. I thought he should know that he is now a brand name in that area.

On the legislation, I remind Deputies that the Minister of State, Deputy Lucinda Creighton, stated she would fight tooth and nail to stop the incinerator in Poolbeg, and Deputy Kevin Humphreys criticised the former Minister, John Gormley, for not doing enough in that regard. Deputy Kevin Humphreys has reneged on his commitments in the most cynical way, but what is worse is that the Taoiseach gave a written commitment to the people of Dublin South-East that he would stop this incinerator going ahead. I will return to that later as I have a copy of the letter before me. This is a Taoiseach who does not have a shred of credibility left in regard to promises. He promised to deliver many things to many communities knowing full well that he would have to turn his back on those people once they had voted for his party. That is a serious allegation.

The deletion of the incineration levy is yet another stunning U-turn by this Government. The coalition parties never ceased to criticise the previous Minister on this issue and yet it is now clear from the statements made by Covanta that had the provision for the incineration levy remained in the legislation, this oversized incinerator for the Poolbeg peninsula would not be going ahead. In an article published in *The Sunday Business Post* before the election, a representative for the company stated clearly that it would not proceed as long as this provision

remained. The article also stated that the company had met Deputy Enda Kenny and Deputy Ruairí Quinn. The Covanta aide said they were happy with the meeting. One wonders what was said by the Taoiseach at that meeting.

The more one reads about this project and the capitulation of the coalition, the more suspicious one becomes. It is a project that has been shrouded in secrecy with no democratic accountability. Only recently the Minister published the Hennessy report on the financial viability of the plant but with large sections of the report censored. So much for the transparency the Government talked about in the past. The report shows that this is a mad contract which will cost the taxpayer dearly if Covanta does not get sufficient waste. Have we learnt nothing? We only have to look at the mess of the M3 public private partnership and the Limerick tunnel, where the lack of cars means major penalties for the State. Is it not extraordinary that there has been no democratic scrutiny of this contract? Not a single councillor, TD or Minister had seen the contract. That is why the senior counsel, John Hennessy, asked the then Minister, John Gormley, to examine the contract. I understand that even Mr. Hennessy had considerable difficulty getting his hands on the contract.

The Government has chosen to ignore the Hennessy report. It has also chosen to ignore the international review on waste management which argued cogently for the imposition of an incineration levy to drive waste higher up the waste hierarchy and get the very best rates of recycling. Why has the Minister decided to dump the international review drawn up by international experts? At a time when resources are growing scarce, when peak oil is a reality and when we have to reduce our carbon emissions substantially, it makes no sense at all to opt for an incinerator on this scale. In order for it to be profitable it will have to draw waste from every part of the island and perhaps beyond. Is that sustainable? This is a national issue. It is not an issue specific to one constituency. That is the reason I raise it in the House today.

There are other aspects of this deal which deserve closer attention. Mr. PJ Rudden is often quoted in the media as a waste expert who favours the incinerator. None of these newspaper reports state that Mr. Rudden's company has made €25 million in consultancy fees from the project. Is it any wonder he is in favour of it?

The other major question is the reason Dublin City Council decided to proceed with the preliminary contract during the 2007 election campaign and why it proceeded to sign the contract when the Minister warned it not to do so. A lot would come out in the wash if there was an inquiry on this matter but with the way this Government has pandered to the wishes of big business, it is unlikely that we will get such an inquiry.

I will deal with some of the issues I mentioned earlier in regard to broken promises. The website of the Minister of State, Deputy Creighton, on 13 July 2010, stated:

Fine Gael remains committed to stopping the proposed incinerator in Poolbeg. Lucinda recently sought assurances from Fine Gael party leader Enda Kenny that the party would oppose the construction of the proposed incinerator if elected to government. Deputy Kenny unequivocally confirmed that Fine Gael would continue to fight tooth and nail to oppose the incinerator.

She further stated: "Lucinda again calls on Minister John Gormley to stand by his promises to the people of Dublin South East and scrap the incinerator for once and for all". That is another example of a broken promise.

There are other aspects of this deal which deserve closer attention. Mr. Rudden is often quoted in the media as being a waste expert who favours incineration. I mentioned the payment of €25 million before a single brick is laid.

[Deputy Finian McGrath.]

It is also important to address the claim of legal problems as this is an excuse local representatives will use mostly to justify their support for the Bill. On Committee Stage the Minister made the entirely disingenuous claim that because of legal constraints, he had no option other than to remove section 7 which provided for the incineration levy. He claimed that was because it was incompatible with the revised waste framework directive which came into force early this year. However, if there was an incompatibility, it would set a higher level than the incineration levy. Similarly, a levy on incinerators that qualify as recovery facilities can be set at a lower level than that for incinerators classed as disposal facilities. These are simple matters to address and it is clear the Minister's decision to scrap the levy is not down to any legal difficulties. The Irish Waste Management Association is in favour of levies and against the Poolbeg incinerator. While the industry is crying out for a financial instrument to encourage recycling, the Minister is ignoring it in favour of giving the green light to a facility that nobody wants other than Dublin City Council. It is important that we raise these issues. I welcome the opportunity to discuss this very important legislation. I hope the Minister will respond to some of the key points I raised.

**Deputy Brian Stanley:** I want to clarify a few points with the Minister so we will be clear on what is happening. Given the proposed changes in respect of placenames, will it be the case, based on the Minister's legal advice, that a town that wants to change its name, be to Dingle, Daingean or Daingean Uí Chúis, for example, can do so without recourse to the Minister?

I understand from the amendments that have been made that all moneys collected through road tax will now be used for local, county, regional and national routes and public transport infrastructure. Is this the case?

On an earlier Stage, I referred to the packaging and labelling of fuel for sale. I do not see any amendment in this regard. Has anything been done thus far to exempt firewood and peat?

I have an amendment on incineration that I understand I will have an opportunity to discuss on Report Stage. I will not reiterate everything said by the previous Deputy; suffice it to say we are very concerned about the Poolbeg incinerator, particularly the terms of the contract. From speaking to members of Dublin City Council — Deputy Kevin Humphreys is a former Dublin city councillor — I have learned that none has seen a copy of the contract. Previous speakers stated nobody wants the incinerator only Dublin City Council but I regard the council as its 52 members. That they have not been party to the decision is very unfortunate.

The major concern is that, as the volume of waste is reduced over time, as I hope will be the case, there will not be enough waste to fill the hungry beast that is the incinerator. The recession has already resulted in a reduction. Given that we do not know the terms of the contract, will the taxpayer be held liable for any shortfall or loss to the private company running the incinerator? Will the Minister address these questions?

**Deputy Joe Higgins:** Le cead an Tí, ba mhaith liom mo chuid ama a roinnt leis an Teachta Catherine Murphy.

Fáiltim go mór roimh socrú na conspóide maidir leis an ainm caoi ar Dhaingean Uí Chúis. Caithfidh mé a rá gur chuir an chonspóid áirithe iontas orm ón tús. Bhí sé amaideach ón chéad lá aon athrú a dhéanamh ins an slí ina hainmníodh Daingean Uí Chúis. Ariamh ó mo chuimhne féin bhí an t-ainm Béarla agus an t-ainm Gaoluinne áúsáid againn i gCorcha Dhuibhne. Glaomísne Dingle agus Daingean Uí Chúis ar an mbaile agus ní raibh fadhb ar bith faoi sin. Ar na comharthaí bóthair mórthimpeall an cheantair, bhí an Béarla agus an Ghaoluinn luaite. Ar ndóigh, nuair a hathraíodh an dlí agus an Daingean amháin a chur isteach, níor chuir sé ionadh ar bith orm go raibh trioblóid faoi.

Is baile turasóireachta Daingean Uí Chúis. Mar is eol dúinn, tagann cuairteoirí chian is ó chóngar de bharr áilleacht na háite. Cuimhnimis go seasann Daingean Uí Chúis mar gheata go dtí iarthar Chorca Dhuibhne, go dtí an Ghaeltacht féin, go dtí an chósta agus na cnoic agus go dtí an áilleacht ins an nGaeltacht. Tá sé mar gheata chuig Dún Chaoin ina bhfuil na báid ag dul amach go dtí na Blascaodaí. Tagann na mílte duine ó mórthimpeall an domhain go dtí an Daingean agus a chomharsanacht agus tá na céadta de lucht oibre na háite ag brath ar an turasóireacht agus ar na cuaiteoirí.

Bhí sé míréasúnta amach is amach dlí a leagadh síos nach bhféadfaí Dingle a chur ar na comharthaí bóthair. Níor dhein sé aon chiall ar bith. Is tír dátheangach an tír seo agus tá súil agam go mbeidh sé dátheangach ariamh.

Cé gurb é an Béarla teanga labhartha an tromlaigh tá sé an-thábhachtach go mbeadh an Ghaoluinn mar theanga láidir, comh maith leis an gcultúr agus gach a bhaineann leis. Níl aon dabht ach go bhfuil brú ar an nGaoluinn agus ar an nGaeltacht. Tá an géarchéim eacnamaíochta ag cur an-bhrú orainn i láthair na huair, le daoine óga á mbrú amach as a gcomharsanacht féin mar nach bhfuil aon obair ann dóibh. Dá bhrí sin tá brú ar an teanga agus ar an gcultúr, gan trácht ar an mbrú atá ag teacht ó na meáin agus ó fhórsaí eile.

Tá sé tábhachtach an Ghaoluinn a caomhnú ach ní féidir é sin a dhéanamh le héigeandáil. Dá bhrí sin, is socrú ciallmhar é seo a theastaigh ó fhormhór mór mhuintir na háite. Nuair a bhí an vóta acu bhí tromlach ollmhór ag lorg go mbeadh an dá ainm traidisiúnta ar an mbaile. Dá bhrí sin, níl anseo ach an rud ceart agus caoi a dhéanamh.

Ba mhaith liom ceist a cur ar an Aire mar gheall ar an phróiséis anois. Cad a tharlóidh tar éis an lae inniu maidir leis an gcinneadh seo a chur i bhfeidhm? Cén saghas fráma nó próiséis ama atá i gceist? Caithfidh mé imeacht go dtí cruinniú sular labhróidh an t-Aire ach ba mhaith liom go mbeadh soiléireacht ag muintir Chorca Dhuibhne agus an Daingin cén saghas ama atá i gceist maidir leis an rud seo a chríochnú agus na comharthaí bóthair a chur thar n-ais mar is caoi ins an chomharsanacht.

**Deputy Catherine Murphy:** Can I put it on record how unsatisfactory it is to be debating this motion today? We received the motion this morning and were looking for it all day yesterday. We are being asked to take at face value some of the proposals contained therein. There was certainly not enough time to examine the issues in detail. I would like to have had the opportunity today to discuss the conflict that might arise between the Official Languages Act and the new section 19, for example, but I do not feel I have time. Although our job is to hold the Government to account, we are not allowed to do so by virtue of the way business such as this is being handled. It is most unsatisfactory. I do not doubt the exact same points would have been made by the Minister if he were on this side of the House. It is not acceptable.

I have a question on the changes proposed to the Official Languages Act. We can all point to conflicts in our constituencies. The local authority in Naas uses An Nás whereas Nás an Ríogh is widely used. There are differences in name signs. I hope the Minister will respond to this and that a petition system will be properly provided for to rationalise this. I also hope there will not be a conflict between this and the Official Languages Act.

Deputy Luke “Ming” Flanagan made the point that he cannot participate in this debate because he is attending a meeting of the committee with responsibility for health. He had a conflict between Roscommon County Hospital and bogs. He wanted to attend this debate and make that point.

**Deputy Phil Hogan:** We will sort out both issues for him.

**Deputy Catherine Murphy:** I am not sure what is being provided for with regard to the Local Government Act 1998 and the local government fund. As the Minister stated, the local government fund comprises motor tax and a contribution from the central Exchequer to local authorities. I have never felt it has been fairly apportioned because some counties, including mine, are net contributors. We know the local government fund is likely to be impacted by the EU IMF proposal to introduce several new charges. When the Local Government (Financial Provisions) (No. 2) Act 1983 introduced water charges, the battle was fought at local authority level. There was war over it at the time and I predict the same will happen in this case.

It is not at all clear whether motor tax will continue to be ring fenced as a fund for local authorities albeit administered through the Department of Transport, Tourism and Sport. Will the Department directly administer it or will it be handed over to the National Roads Authority? Will the National Roads Authority allocate national, regional and local road funding? It is a very difficult organisation from which to receive an answer. If we are to hold the Government to account and ensure the correct balance between funding of national and local roads we must be certain we can do so. If the administration of this is outsourced to the National Roads Authority it will be very unsatisfactory.

I tabled a number of amendments which were ruled out of order. In a 2002 decision, the European Court of Justice argued against the €20 charge to make a planning objection. My amendment was ruled out of order because it would lead to a charge on the State. However, what was really a charge on the State was the out-of-control rezoning of land that produced the property bubble and the building frenzy in places where building should not have taken place. Those of us who constantly monitored and sought a strategic approach to development in the country were penalised and considered the “anti-brigade”. We were constantly criticised and treated as though the last person to leave should switch off the lights. However, the record of what some of us stated at that time show that if we had been listened to the country may not have ended up in the position in which it now is. I do not believe citizens who monitor what happens in our planning system should be penalised. When one considers the administration involved, the charge brings in very little.

I also sought a notice to be published after five years of a ten year planning permission to invite comments from people and to deal with significant new information. It would allow people keep track of the planning system. I am disappointed it could not be accommodated. Such oversight may save the State money by ensuring bonds are fully in place and by keeping local authorities on their toes.

I also sought an amendment to allow the levy system to introduce a national waiver scheme. I accept there is little we can do about competition in the waste market. However recognition should be given to the fact that the only customers local authorities now have are waiver customers. Local authorities are being run out of the business but then being asked to pick up rubbish from ditches. We must find mechanisms to deal with this. Again, my amendment was ruled out of order because it would incur a charge on the State. However, there already is a charge on the State as it picks up rubbish out of ditches and off boreens. Private operators are not asked to do this. This might be considered at some point in the future and the levy might be an appropriate means of doing it.

On Committee Stage, I spoke about the incinerator with the Minister. The numbers on this do not add up. I do not care whether Dublin City Council, Kildare County Council or Cork City Council is involved but the public purse will be affected by building an incinerator with a capacity of 580,000 tonnes where local authorities are required to produce 320,000 tonnes or incur a charge but have control of less than 80%, and this percentage will reduce. I have a major problem with the public purse being affected in this way and with the lack of oversight

3 o'clock

in the contract. It is not good enough to state that it is a private contract between Dublin City Council and Covanta. The local authority is a public authority and a failure at this level may lead to a call on the Department of the Environment, Community and Local Government to produce funds to cover it. The levy system will come into play.

I have major concerns about how we are dealing with some of these issues as it is very late in the day. I am also concerned about the lack of oversight and I find it very unsatisfactory.

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I thank Deputies for their contributions and I will deal with some of the points. Other points will be raised as amendments during the course of the debate. Deputy Niall Collins spoke about hospital infrastructure, and rightly pointed out projects involving 100 or more beds will have to go to the board. Smaller projects will go through the normal planning process. He also raised the definition of “sufficient interest” and this is the level of interest which applicants must have in a case for all other judicial review cases. This amendment means the planning code will have the same requirements as the Aarhus convention.

It is a less onerous requirement for individuals who seek a judicial review of planning decisions if they are approved. We are not doing anything on sterilisation. It is just a matter for the planning authorities as is normal to implement the rural planning guidelines and no change is suggested.

Deputies Catherine Murphy and Stanley asked about place name provisions. The new provisions I am introducing will devolve full responsibility for this issue to local authorities.

**Deputy Brian Stanley:** That is good.

**Deputy Phil Hogan:** It will be a local matter and local authorities will not need to come to the Minister for the Environment, Community and Local Government. I presume the Deputies welcome that.

**Deputy Brian Stanley:** I do.

**Deputy Phil Hogan:** Deputies Stanley and Catherine Murphy mentioned the roads funding. As stated motor tax and an Exchequer contribution are paid into the local government fund. The fund in the main funds the general purpose needs of local government through the general purpose grant allocations I make to individual local authorities. I also make an allocation to the Minister for Transport, Tourism and Sport to fund non-national roads. The amendment will now allow the Minister to expend the allocation on all roads and not just local roads or non-national roads and on public transport infrastructure generally. I remind the Deputy that the NRA is already administering the funds on behalf of the Department to the local authorities. The Deputies may not have known that.

**Deputy Catherine Murphy:** I did.

**Deputy Phil Hogan:** I do not necessarily agree with the fact that it does, I just mention it. I will continue to provide significant general purpose grants to local authorities. It is a matter for the Minister for Transport, Tourism and Sport to decide how he will allocate his funds. Amendments I am introducing today to give effect to the Aarhus convention will allow considerably more participation, openness and transparency in planning and other matters pertaining to local government. I am sure the Deputies welcome that. Ireland is the only country in the European Union that had not signed up to the Aarhus convention and these amendments will ensure that we do.

[Deputy Phil Hogan.]

On the local government fund, under a protocol arrangement between my Department and the Department of Transport, Tourism and Sport an annual allocation is made to the Department of Transport, Tourism and Sport and the Minister for Transport, Tourism and Sport will decide how he will allocate that. The amendment will allow the payment from the local government fund to be spread around various other road categories. Those were the principal issues mentioned.

Deputy Catherine Murphy spoke about waste to recovery. If she is against waste to recovery she is against EU law. In addition if she is against waste to recovery, she is in favour of landfill. I would have thought she would have had enough landfill developments in her constituency and would not want any more. She is asking me to ignore waste to recovery and she wants more landfill to ensure that she has more difficulties for her local communities in Naas, Kerdiffstown and everywhere else. She wants the taxpayer to pick up the tab if we are in breach of the EU landfill directive in 2013. If that is what she wants at least she is honest about it, but I am trying to ensure that the taxpayers and her constituents in Kildare North by this process will engage more in waste to recovery rather than in landfill.

**Deputy Catherine Murphy:** What are we recovering?

**Deputy Phil Hogan:** The issues we are bringing before the House today are largely technical amendments. Some sections of the Planning and Development Act 2010, which are not commenced, have been subject to a legal interpretation. Particularly regarding quarries, my Department has taken the opportunity to introduce a proper legal text so that when they do become part of a planning application they can be appropriately implemented.

**Deputy Joe Higgins:** What about Dingle-Daingean Uí Chúis?

**Deputy Phil Hogan:** We have sorted that. The Deputy does not need to worry about it anymore. Deputy Healy-Rae and I am going to do what the Deputy always asked to have done.

**Deputy Joe Higgins:** What about the timing?

**Deputy Phil Hogan:** As soon as the Bill is passed we will be in a position to do it. We will introduce the commencement order for that, hopefully, in September — as soon as possible.

Question put and agreed to.

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

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I move:

“That Report Stage be taken now.”

Question put and agreed to.

### **Environment (Miscellaneous Provisions) Bill 2011: Report and Final Stages**

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I move amendment No. 1:

In page 3, line 10, after “1997;” to insert the following:



“TO MAKE PROVISION FOR COSTS OF CERTAIN PROCEEDINGS; TO GIVE EFFECT TO CERTAIN ARTICLES OF THE CONVENTION ON ACCESS TO INFORMATION, PUBLIC PARTICIPATION IN DECISIONMAKING AND ACCESS TO JUSTICE IN ENVIRONMENTAL MATTERS DONE AT AARHUS, DENMARK ON 25 JUNE 1998 AND FOR JUDICIAL NOTICE TO BE TAKEN OF THE CONVENTION; TO AMEND THE PLANNING AND DEVELOPMENT ACT 2000; THE LOCAL GOVERNMENT ACT 1998; THE LOCAL GOVERNMENT ACT 2001 AND THE OFFICIAL LANGUAGES ACT 2003;”.

This is a technical amendment to incorporate the amendments being taken on Report Stage into the Title of the Bill.

Amendment agreed to.

Bill recommitted in respect of amendments Nos. 2 to 8, inclusive.

**Acting Chairman (Deputy Joanna Tuffy):** Amendments Nos. 2 and 16 to 43, inclusive, are related and may be discussed together.

**Deputy Phil Hogan:** I move amendment No. 2:

In page 3, between lines 22 and 23, to insert the following:

“(4) The Planning and Development Acts 2000 to 2010 and *Part 4* may be cited together as the Planning and Development Acts 2000 to 2011 and shall be read together as one.”.

This is a technical amendment that inserts into the Bill a collective citation for the Planning and Development Acts which are being amended by the Bill.

Amendment agreed to.

**Acting Chairman (Deputy Joanna Tuffy):** Amendments Nos. 3 to 8, inclusive, are related and may be discussed together.

**Deputy Phil Hogan:** I move amendment No. 3:

In page 4, between lines 1 and 2, to insert the following:

“PART 2

3.—(1) Notwithstanding anything contained in any other enactment or in—

(a) Order 99 of the Rules of the Superior Courts (S.I. No. 15 of 1986),

(b) Order 66 of the Circuit Court Rules (S.I. No. 510 of 2001), or

(c) Order 51 of the District Court Rules (S.I. No. 93 of 1997),

and subject to *subsections (2), (3) and (4)*, in proceedings to which this section applies, each party (including any notice party) shall bear its own costs.

(2) The costs of the proceedings, or a portion of such costs, as are appropriate, may be awarded to the applicant, or as the case may be, the plaintiff, to the extent that he or she succeeds in obtaining relief and any of those costs shall be borne by the respondent, or as the case may be, defendant or any notice party, to the extent that the acts or omissions of

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the respondent, or as the case may be, defendant or any notice party, contributed to the applicant, or as the case may be, plaintiff obtaining relief.

(3) A court may award costs against a party in proceedings to which this section applies if the court considers it appropriate to do so—

(a) where the court considers that a claim or counter-claim by the party is frivolous or vexatious,

(b) by reason of the manner in which the party has conducted the proceedings,

or

(c) where the party is in contempt of the court.

(4) *Subsection (1)* does not affect the court's entitlement to award costs in favour of a party in a matter of exceptional public importance and where in the special circumstances of the case it is in the interests of justice to do so.

(5) In this section a reference to "court" shall be construed as, in relation to particular proceedings to which this section applies, a reference to the District Court, the Circuit Court, the High Court or the Supreme Court, as may be appropriate."

Amendment No. 3 proposes to ensure that in court proceedings, which involve a breach of certain licences or other consents, each party to the proceedings shall only be required to meet their own costs. However, if an applicant is granted the relief sought or if the defendant or respondent, as the case may be, is found to have breached a provision of environmental law, the applicant may have all or some of his costs paid by the respondent or defendant as appropriate. If the case involves notice parties, they may also be required to contribute to the applicant's costs if the court considers it appropriate. The Judiciary will also retain the discretion to award costs against a party if the court considers the case to be frivolous or vexatious or in favour of a party in a matter of exceptional public importance.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 4:

In page 4, between lines 1 and 2, to insert the following:

4.—(1) *Section 3* applies to civil proceedings, other than proceedings referred to in *subsection (3)*, instituted by a person—

(a) for the purpose of ensuring compliance with, or the enforcement of, a statutory requirement or condition or other requirement attached to a licence, permit, permission, lease or consent specified in *subsection (4)*,

or

(b) in respect of the contravention of, or the failure to comply with such licence, permit, permission, lease or consent,

and where the failure to ensure such compliance with, or enforcement of, such statutory requirement, condition or other requirement referred to in *paragraph (a)*, or such contravention or failure to comply referred to in *paragraph (b)*, has caused, is causing, or is likely to cause, damage to the environment.

(2) Without prejudice to the generality of *subsection (1)*, damage to the environment includes damage to all or any of the following:

- (a) air and the atmosphere;
- (b) water, including coastal and marine areas;
- (c) soil;
- (d) land;
- (e) landscapes and natural sites;
- (f) biological diversity, including any component of such diversity, and genetically modified organisms;
- (g) health and safety of persons and conditions of human life;
- (h) cultural sites and built environment;
- (i) the interaction between all or any of the matters specified in *paragraphs (a) to (h)*.

(3) *Section 3* shall not apply—

(a) to proceedings, or any part of proceedings, referred to in *subsection (1)* for which damages, arising from damage to persons or property, are sought,

or

(b) to proceedings instituted by a statutory body or a Minister of the Government.

(4) For the purposes of *subsection (1)*, this section applies to—

(a) a licence, or a revised licence, granted under section 83 of the Environmental Protection Agency Act 1992,

(b) a licence granted pursuant to section 32 of the Act of 1987,

(c) a licence granted under section 4 or 16 of the Local Government (Water Pollution) Act 1977,

(d) a licence granted under section 63, or a water services licence granted under section 81, of the Water Services Act 2007,

(e) a waste collection permit granted pursuant to section 34, or a waste licence granted pursuant to section 40, of the Act of 1996,

(f) a licence granted pursuant to section 23(6), 26 or 29 of the Wildlife Act 1976,

(g) a permit granted pursuant to section 5 of the Dumping at Sea Act 1996,

(h) a licence granted under section 40, or a general felling licence granted under section 49, of the Forestry Act 1946,

(i) a licence granted pursuant to section 30 of the Radiological Protection Act 1991,

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(j) a lease made under section 2, or a licence granted under section 3 of the Foreshore Act 1933,

(k) a prospecting licence granted under section 8, a State acquired minerals licence granted under section 22 or an ancillary rights licence granted under section 40, of the Minerals Development Act 1940,

(l) an exploration licence granted under section 8, a petroleum prospecting licence granted under section 9, a reserved area licence granted under section 19, or a working facilities permit granted under section 26, of the Petroleum and Other Minerals Development Act 1960,

(m) a consent pursuant to section 40 of the Gas Act 1976,

(n) a permission or approval granted pursuant to the Planning and Development Act 2000.

(5) In this section—

“damage”, in relation to the environment, includes any adverse effect on any matter specified in *paragraphs (a) to (i) of subsection (2)*;

“statutory body” means any of the following:

(a) a body established by or under statute;

(b) a county council within the meaning of the Local Government Act 2001;

(c) a city council within the meaning of the Local Government Act 2001.

(6) In this section a reference to a licence, revised licence, permit, permission, approval, lease or consent is a reference to such licence, permit, lease or consent and any conditions or other requirements attached to it and to any renewal or revision of such licence, permit, permission, approval, lease or consent.”.

This amendment sets out the types of civil proceedings to which the costs rule being proposed pursuant to amendment No. 3 would apply. It includes proceedings concerning breaches of certain environmental licences and other consents where the breach has caused, is causing or is likely to cause damage to the environment. Furthermore the amendment sets out the elements of the environment that would fall under its scope in terms of damage, including air, water, biodiversity, and human health and safety. The amendment also clarifies that the new costs rule does not extend to cases where personal damages are sought. The purpose of the amendment is to enhance environmental protection by improving access to justice in existing environmental cases by removing the risk for the applicant or plaintiff having to pay costs for all parties to the proceedings if they are unsuccessful.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 5:

In page 4, between lines 1 and 2, to insert the following:

5.—(1) *Section 3* applies to civil proceedings, other than proceedings referred to in *subsection (2)*, instituted by a person relating to a request referred to in Regulation 6 of the Information Regulations.

(2) *Section 3* shall not apply to proceedings instituted by the Commissioner for Environmental Information or a public authority pursuant to the Information Regulations.

(3) In this section—

“Information Regulations” means the European Communities (Access to Information on the Environment) Regulations 2007 (S.I. No. 133 of 2007);

“public authority” has the meaning assigned to it by the Information Regulations.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 6:

In page 4, between lines 1 and 2, to insert the following:

6.—(1) *Section 3* applies to—

(a) proceedings in the High Court by way of judicial review or of seeking leave to apply for judicial review, of proceedings referred to in *section 4* or *5*,

(b) an appeal (including an appeal by way of case stated) from the District Court, Circuit Court or High Court in any proceedings referred to in *section 4* or *5* or *paragraph (a)*, and

(c) proceedings for interim or interlocutory relief in relation to any proceedings referred to in *section 4* or *5* or *paragraph (a)*.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 7:

In page 4, between lines 1 and 2, to insert the following:

7.—(1) A party to proceedings to which *section 3* applies may at any time before, or during the course of, the proceedings apply to the court for a determination that *section 3* applies to those proceedings.

(2) Where an application is made under *subsection (1)*, the court may make a determination that *section 3* applies to those proceedings.

(3) Without prejudice to *subsection (1)*, the parties to proceedings referred to in *subsection (1)*, may, at any time, agree that *section 3* applies to those proceedings.

(4) Before proceedings referred to in *section 3* are instituted, the persons who would be the parties to those proceedings if those proceedings were instituted, may, before the institution of those proceedings and without prejudice to *subsection (1)*, agree that *section 3* applies to those proceedings.

(5) An application under *subsection (1)* shall be by motion on notice to the parties concerned.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 8:

In page 4, between lines 1 and 2, to insert the following:

8.--Judicial notice shall be taken of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters done at Aarhus, Denmark on 25 June 1998.

Amendment agreed to.

Bill reported with amendments.

**Acting Chairman (Deputy Joanna Tuffy):** As amendment No. 11 is related to amendment No. 9, they will be discussed together.

**Deputy Brian Stanley:** I move amendment No. 9:

In page 4, between lines 3 and 4, to insert the following:

“3.—Section 12(1) of the Act of 1987 is amended--

(a) in paragraph (a) by substituting--

(i) “€8,000” for “£1,000” in both places where it occurs, and

(ii) “€800” for “£100”,

and

(b) in paragraph (b) by substituting--

(i) “€800,000” for “£10,000”, and

(ii) “€8,000” for “£1,000”.

While we welcome the proposed changes to the fines, there must be a significant penalty for causing air pollution, particularly where companies are concerned. Part of the Golden Vale, the best land in the country, was polluted and an unfortunate farmer who had lost everything, perhaps even his health, spent many years seeking redress. Pollution is an important issue in the context of food production. Now that agriculture has again taken centre stage, we need strict and rigorous laws to deal with pollution. That is the reason we have tabled the amendment.

**Deputy Phil Hogan:** I thank the Deputy for his interest in this matter. The amendment proposes that the monetary amounts of fines or penalties under the Air Pollution Act be further increased beyond the significant amounts for which I am providing. Paragraph (a) refers to fines on summary conviction and proposes that a larger increase than that proposed by the Government be introduced. This is unnecessary, as I am proposing to align the amounts within the bands provided for by the Fines Act 2010, allowing them to be updated centrally to ensure they remain effective. The Fines Act introduced a new system of categorised bands of fines for minor offences, that is, on summary conviction. This system came into operation on 4 January this year. The maximum amounts are €5,000, €4,000, €2,500, €1,000 and €500 for class A, B, C, D and E offences, respectively. This system is more practical, as the amounts can be periodically

changed by the Minister for Justice and Equality to ensure they retain their monetary value and consequent deterrent power. Any change made would apply to all relevant legislation without the necessity of amending individual pieces of legislation and instruments. Furthermore, categorising fines provides for a more consistent penalty system for all environmental law. It is best practice that all new legislation covering minor offences categorise fines in accordance with the bands set in the Fines Act. As I propose to update the fines for offences under the Air Pollution Act in line with the bands applying under the Fines Act, I cannot accept the amendment.

Paragraph (b) refers to fines on conviction on indictment and proposes that a larger increase than the one proposed by the Government be introduced, €800,000 rather than €500,000, with a proportionate increase in the daily fine for a continuing offence to €8,000 rather than €5,000. The proposed increase from £10,000 to €500,000 has been selected to ensure consistency with comparable amounts in other environmental legislative measures. This aims to provide a more consistent penalty system throughout our environmental legislation framework and the maximum fine permitted for a conviction on indictment in legislation transposing EU directives is €500,000, as provided under section 3 of the European Communities Act 1972. Introducing this level of fine to the Air Pollution Act will bring it into line with the monetary penalties in other key environmental legislative measures that originated as EU directives, for example, waste and groundwater regulations. The proposed increase is substantial to reflect the fact that the current fine amount of £10,000 was set in 1987 and has lost significant value and its deterrent effect. The proposed increase will be effective and proportionate and will have the necessary deterrent effect to support the enforcement of the Air Pollution Act. Therefore, the proposed amendment cannot be accepted.

**Deputy Brian Stanley:** On the basis of the Minister's statement that he will be able to increase the fines periodically, I will withdraw my amendment.

Amendment, by leave, withdrawn.

**Deputy Brian Stanley:** I move amendment No. 10:

In page 4, between lines 3 and 4, to insert the following:

“3.--For the purposes of clarity, the offences regarding sealing and labelling of fuel bags as set out in the Air Pollution Act, 1987 (Marketing, Sale and Distribution of Fuels) Regulations 1998 (S.I. 118/1998), and Air Pollution Act, 1987 (Marketing, Sale and Distribution of Fuels) (Amendment) Regulations 2011(S.I. 270/2011) shall not include domestic sale of firewood, turf and peat.”.

I highlighted a problem with the Bill on Second and Committee Stages. Like the Government parties, we want the labelling and sealing of bags of solid fuel to be regulated in order that smokeless fuels are used in smokeless zones. Customers should not be able erroneously to buy smoky fuel because it has been labelled “smokeless”. There must be labelling of anthracite coal and fossil fuels of that type. The Minister will understand the problem, as I have explained it twice. Outside the Pale, in particular, it is and will remain common practice for firewood and peat to be sold in open, unlabelled 10:10:20 bags. The Minister will understand what the label means. It is like the 10:10:20 fertiliser bags.

**Deputy Phil Hogan:** And 18:6:12.

**Deputy Brian Stanley:** Yes. It is not necessary to label or seal these bags because customers in the fuel depot can recognise whether the contents are firewood or ordinary peat or, as it is

[Deputy Brian Stanley.]

called down the country, turf. However, we support the labelling and sealing of bags of smokeless and other fuels such as ordinary and anthracite coal that might look like smokeless fuel. Will the Minister accept my amendment on this basis?

**Deputy Phil Hogan:** The amendment proposes to insert a new provision regarding the sealing and labelling requirements of fuel bags under the fuel regulations. The Air Pollution Act 1987 (Marketing, Sale and Distribution of Fuels) (Amendment) Regulations 2011 require that a person or body shall not place on the market, sell or distribute bituminous coal in a bag unless it is sealed. Bituminous coal is defined in the regulations as coal “falling within CN Code 2701 12 placed on the market for residential heating” and does not require further clarification. Accepting this amendment could create confusion where there is none. The sealing and labelling provisions relate to bituminous coal, not to timber or peat. However, I will seek clarification for the Deputy in that regard.

The smoky coal ban was introduced in Dublin in 1990 and has since been extended to other cities and large towns. It has proved effective in improving air quality in urban areas and I intend to undertake a public consultation process on the ban during the coming months to ensure its continued effectiveness. Issues such as bagging and labelling requirements will be explored as part of that consultation. If there is any doubt about the Deputy’s suggestion, I will use the consultation process as an opportunity to ensure the sentiment of what he is seeking to do is expressed in the regulations. Therefore, I cannot accept the amendment.

**Deputy Brian Stanley:** The Minister has claimed my amendment would cause confusion, but he is not being clear. We all know that ordinary coal, including anthracite, can be substituted by someone selling bags off the back of a lorry to people who mistakenly believe it is smokeless fuel. If the Minister is proposing a change in this respect, that is fine, but he is not being clear on the question of whether this provision will exempt firewood and peat. If he obtains clarification and it does, I will happily withdraw the amendment.

The Minister mentioned that he might be able to make the necessary changes in subsequent regulations. If that is his legal advice, I am happy to accept it. However, we must not create a problem in the sale of domestic fuel in 23 or 24 counties, which is what this provision will do.

**Deputy Phil Hogan:** I admire the Deputy’s detailed knowledge of these matters. Regulation 4 of Statutory Instrument 118 of 1998 requires bags of fuel to be sealed. There is no compulsion to only sell in bags; it is aimed at coal. Peat is usually sold in briquettes. Peat and wood have a lower sulphur content than coal so peat, which typically has a sulphur content of 0.4%, and based on the Air Pollution Acts and their sulphur content, wood and peat are exempt from these regulations but they apply to coal.

Amendment, by leave, withdrawn.

Amendment No. 11 not moved.

**Deputy Phil Hogan:** I move amendment No. 12:

In page 5, after line 49, to insert the following:

5.—Section 14 of the Act of 1987 is amended—

(a) by inserting the following subsection after subsection (5):

“(5A) Where an authorised person has reasonable grounds for apprehending any serious obstruction in the performance of his or her functions or otherwise considers it



necessary, he or she may be accompanied by a member of the Garda Síochána when performing any functions conferred on him or her under this Act or any regulations made under it.”,

and

(b) in subsection (6) by inserting “under subsection (6A)” after “for a warrant”,

(c) by inserting the following subsection after subsection (6):

“(6A) Without prejudice to the powers conferred on an authorised person by or under any other provision of this section, if a judge of the District Court is satisfied by information on oath of an authorised person that there are reasonable grounds for believing that there is, or such entry is likely to disclose, evidence of a contravention of this Act, or regulations made under it, the judge may issue a warrant authorising an authorised person, accompanied by such other authorised persons or by a member or members of the Garda Síochána as may be necessary, at any time or times, within one month from the date of issue of the warrant, on production of the warrant if requested, to enter the place, if necessary by the use of reasonable force, and perform the functions conferred on an authorised person under this Act or any regulations made under it.”.

This amendment supports the enforcement activities of a local authority appointed and authorised person when carrying out his functions under the Air Pollution Act 1997 or any regulations made under it. The amendment proposes that in cases where an authorised person is obstructed or reasonably expects to be met with obstruction, he or she may be accompanied by a member of the Garda Síochána.

**Deputy Catherine Murphy:** I have no difficulty with people being accompanied by a garda; it might be necessary on occasion. My concern is that more and more responsibilities are being passed over to the local authorities while there is a staff embargo in place. I am concerned the resources are inadequate to meet those additional obligations. The idea is good but I am not sure it will be enforced.

**Deputy Phil Hogan:** The deployment of resources is a separate issue. There is a serious problem with the employment moratorium and I do not expect to see any change with that in the near future. I subscribe to the devolution of functions and I will keep an eye on the issue of resourcing functions that can be devolved to local authorities to ensure they are being enforced.

Amendment put and agreed to.

**Deputy Brian Stanley:** I move amendment No. 13:

In page 6, to delete lines 6 to 9 and substitute the following:

“(3) The amount of the levy shall be specified in the regulations under subsection (2) but shall not exceed an amount of 26 cent for each plastic bag supplied to a customer.”.

The plastic bag levy was a great success. It is not long ago that every hedgerow in the country was decorated with plastic bags. We propose that the amount allowed for in the legislation be reduced. There will be a 70 cent charge on plastic bags. That is too high. At the moment the charge is 15 cent and it works reasonably well. We agree with the Minister that it should be increased. Perhaps it should be index linked because it has been 15 cent since its introduction a decade ago. We feel 26 cent for each bag would be sufficient but 70 cent is very high.

**Deputy Phil Hogan:** Amendment No. 13 proposes the ceiling on the plastic bag levy should be retained at 26 cent. The Bill gives me the opportunity over a long period of time to increase the plastic bag levy but I cannot do it by any more than 10% of the existing levy in any financial year plus the change in the consumer price index since the last change, up to a limit of 70 cent. It will take a considerable number of years if we increase it every year and it is not my intention to do that.

A ceiling of 26 cent would not give me the flexibility to replenish the environment fund or deal with environmental matters in a serious way when additional resources are needed to deal with problems such as remediation in landfill sites in Deputy Catherine Murphy's constituency and in other constituencies. I need the flexibility. I will not say by how much or how often I will need to increase the charge but I want to give myself up to a maximum levy of 70 cent in this case.

**Deputy Brian Stanley:** The Minister is moving slowly so I will withdraw the amendment.  
Amendment, by leave, withdrawn.

**Deputy Brian Stanley:** I move amendment No. 14:

In page 8, between lines 15 and 16, to insert the following:

“7.—(1) The practice of incineration or thermal treatment of waste shall no longer be legal within this state.

(2) Sections 4 and 5 of the Waste Management (Amendment) Act 2001 are repealed.

(3) The making of a waste management plan shall be a reserved function of the local authority.”.

This is an important issue. Our approach to waste management should be based on the community and on environmental sustainability. I fully acknowledge that Ireland faces a waste management crisis. This is a global problem, it is not unique to this State, but we have an opportunity to make the right decisions for Ireland by supporting the amendment.

When we tackle the waste crisis we must also tackle the causes of the problem. We cannot continue to produce waste, burn it and hope the problem will go away. Building mass burning incinerators similar to that proposed for the Poolbeg peninsula is far from the solution. A closer look at the incinerator will show that incinerators are part of the problem. The incinerator proposed for the Poolbeg peninsula has the capacity to burn more waste than the city of Dublin can produce. The choice for Covanta, the operator, is to import waste or to encourage Government policies that produce waste and, therefore, more rubbish to burn and more profit for the owners. The lack of waste is a huge concern. The volumes of waste being produced by industry and wholesalers will significantly reduce in coming years. Sinn Féin wants to set a target of zero waste and to work towards that.

The history of the contract is little short of a scandal. Dublin city councillors have not been party to decisions and have not seen important documentation. That leaves much to be desired. In another time there would have been a huge outcry and there is no reason that should not happen now.

The EU directives rightly restrict our landfill options. To turn to burning waste is not a solution. We need to adopt a zero waste strategy similar to some of the municipalities in New Zealand. We must drastically reduce the waste we produce by reducing packaging at source. We must reduce and reuse products and reintroduce glass recycling. That the State has no glass recycling facility is a damning indictment of our failed waste management policies. We must

also invest in our fledging recycling industry. If the millions used to fund the huge PR operation to promote incineration were used to promote and invest in recycling, the industry would be much stronger today and we have more jobs from the recycling of waste.

We have set a target for Food Harvest 2020. Agriculture was not seen as important during the boom but we now understand its importance, the importance of food exports and the clean image of food from Ireland. Incineration can do real damage to the food chain and will cause damage to the perception of Irish food, which could have huge economic consequences.

The amendment would allow us to pursue a waste management strategy based on reducing, reusing and recycling. This is an opportunity to right the wrongs of failed government policies since 1999 when incineration was the cornerstone of waste management strategy. Communities can be assured that if this amendment fails to receive the required support, Sinn Féin will continue to work with campaigning groups to ensure that this State is incineration-free in future.

**Deputy Kevin Humphreys:** I do not intend to go over the arguments I made on Committee Stage. I still firmly believe that section 7 should have stayed in the Bill. It has now been removed but that will prove to be a mistake.

I welcome the amendments and the spirit in which they have been tabled. We need to shine a bright light on the contracts done between Dublin City Council and Covanta. It is unfortunate that the former Minister, Mr. Dick Roche, approved it and signed those documents. The matter has not been dealt with adequately until now.

My constituency has had one of the largest landfills in the city on Sandymount Strand. We went through that period, but the solution to our waste problems is not necessarily to be found through burning it or using landfill sites. The Minister should give a clear commitment to impose a levy on waste and excess packaging at source. He should seriously examine the possibility of introducing a Bill to achieve that as quickly as possible.

If there is no levy on incineration, we will shift the focus from landfill to incineration and will draw down other recyclable materials to incineration. I welcomed the Minister's remarks on Committee Stage when he said he would quickly introduce a consultative document to examine a mechanism to rebalance the issue and possibly bring levies to bear on incineration. I look forward to that consultation process and will contribute to it at that stage.

As other Deputies have said, one of the biggest problems with an incinerator on the Poolbeg peninsula is that it will be too big. It is also broadly accepted that it is the wrong location. We need to fundamentally reform local government, giving power to elected councillors rather than officials. The 52 councillors on Dublin City Council, of which I was one, always opposed the incinerator but we could never see the contract or the Hennessy report in full. We must examine mechanisms whereby public representatives can review such contracts properly and see completed reports. In his review, I ask the Minister to move that power back to local government.

I notice that Deputy Finian McGrath left the Chamber after making his contribution. He quoted many sources, but I would remind him that he kept the two previous governments in power. If it was such a big problem for him, he could have made it an issue at any stage. However, I note that Deputy Finian McGrath prefers to make his contributions and then run, so as not to hear a counter argument.

The Minister should re-examine imposing a levy on incineration, in addition to introducing a levy on excess packaging as quickly as possible. That is the way to reduce the volume that must go either to landfill or incineration.

**Deputy Catherine Murphy:** I made some points earlier in the debate and made the same ones on Committee Stage, so I will not go over them again. I endorse Deputy Humphreys' point on the rebalancing and transfer of powers between reserve functions and the local government executive. Officials are not elected and will not be held to account, which is a major deficit in our democracy.

Kildare is not short of landfill sites, as the Minister is well aware. The Kill landfill site has taken most of Dublin's waste over the years. We now have Droighead, which is the biggest landfill site in the country, and is owned and controlled by Bord na Móna. We have a great deal of experience with landfill, but it is not something that people tend to want on their doorsteps. The way in which we deal with residual waste is incredibly important. We have seen what has happened in the private sector, as the Minister said, concerning Kerdiffstown. That was a failure of the private sector and of the Environmental Protection Agency or EPA. There is a deficiency concerning the EPA in that it did not have the legal power to close that site down. It will cost the State millions to remedy that. The EPA is doing a good remedial job there at the moment and let us hope that continues. It will require Exchequer resources to continue to do so, but we must also find the point where that failure occurred.

On Committee Stage, the Minister said that what was proposed by Covanta was in the recovery tier. We have all seen that people will go to the trouble of using the bottle bank as well as segregating their waste into various bins. We will take the advantage away from segregation, however, by having such a large facility. We will therefore kill off the recovery tier where we should segregate waste for reuse and recycling. I have a serious problem in this regard and I would oppose the Bill for this aspect alone. Section 7 would at least have provided some sort of counterbalance to a levying system. I have a serious problem with the fact that there is an economic mismatch there also.

**Deputy Eoghan Murphy:** I endorse much of what Deputy Kevin Humphreys has already said, particularly with regard to the levy on excess packaging which is important. We can be quite progressive in that regard if we so choose. I will confine my remarks to the possibility of a levy on incineration. I have spoken before, as many others did, about the importance of having that levy. If we want to avoid over-reliance on incineration and have a proper balance in the waste management matrix, there must be levies on incineration. I take the Minister's point that at the moment such levies may be premature because the market has not established itself. We may need to wait for that to happen before we can bring in levies, which are essential. I would welcome any commitment from the Minister to examine the possibility of introducing levies at a future date. The Minister should have such powers in his armoury as we consider how to improve waste management. The Minister must have the ability to impose a levy at some future date when he feels the market is established and it is then necessary to move waste management mechanisms further up the hierarchy.

I welcome the Bill and support the Minister in his endeavours.

**Deputy Phil Hogan:** I propose to deal with the three parts of amendment No. 14 in turn. The first part of this amendment proposes to make illegal within the State a form of waste management which is legal under EU law. Incineration, where it reaches the required threshold for energy recovery, is deemed to be on the recovery tier of the waste hierarchy — a priority order established by the Waste Framework Directive 2008/98/EC. I transposed this directive into national legislation on 31 March this year. Landfill, which is classed as disposal and below the recovery tier, would remain legal under this amendment. Therefore, this amendment would be contrary to the directive. We have an immediate challenge in moving away from over-dependence on landfill. We will need a range of alternative infrastructure and will need to put in place a number of measures, including waste prevention, to meet this challenge. To make

one of those options illegal would result in increased costs to the public and business, and undermine our ability to provide alternatives to landfill.

The second part of this amendment proposes to repeal two sections of the Waste Management Acts dealing with waste management planning. Deputies will be aware that it was previously found necessary to provide for city and county managers to make waste management plans as an executive function. The reason for that was that councillors did not make the decision. I assure the House that I will examine the issue of waste management planning as part of the development of a new waste policy, which I intend to conclude by the end of this year. I will also examine the issue of devolution of functions back to the councillors in the context of a local government review.

The third part of the amendment proposes to restore responsibility for the making of waste management plans to the members of local authorities. As I indicated, I will examine this issue at the appropriate time as part of local government reform in respect of the role elected members will play in adopting waste management plans.

My primary aim in the development of a new waste policy is to ensure Ireland meets its obligations under EU law. If I am to be characterised as being in favour of anything in so far as waste policy is concerned, I am in favour of moving away from an over-reliance on the least desirable waste management option of landfill towards approaches higher up in the waste hierarchy. Whatever way we look at this, there is no escaping the stark reality that the most pressing challenge in waste management is to achieve compliance with the limits set in Directive 1999/31/EC in respect of the volumes of waste which can be sent to landfill. The next targets are to be achieved by 2013 and 2016. The EPA warned us in its 2009 national waste report that we did not have a hope of meeting these targets if we did not make quick decisions on our waste infrastructure. Therefore, we need to address the alternatives to landfill.

With the opening of Ireland's first municipal waste to energy project later this year, it is clear that incineration will play some part in diverting waste away from landfill. However, a range of other measures will be even more important in the development of a sustainable waste policy. The national waste prevention programme will continue to support businesses and the public in reducing the amount of waste produced, saving them money in the process. The further roll-out of segregated waste collection services will also help to ensure the diversion of waste from landfill to more productive uses such as composting and anaerobic digestion. Therefore, it is not a question of being in favour of incineration but of meeting our obligations.

There is nothing in the waste framework directive that precludes the introduction of a levy on incineration. However, it does preclude one such as that proposed in the original section 7 of the Bill. The reason I have had to take the route I have taken on section 7 is to ensure the section of the Bill developed by the previous Government will be based on an approach that levies should not be changed in a way to give incineration an economic advantage over landfill.

The programme for Government commits to the introduction of a sustainable waste policy which adheres to the waste hierarchy. In the coming weeks I will publish a discussion document for public consultation to inform the finalisation of a new waste policy. The appropriate use of economic instruments such as levies will be considered as part of that process. I am telling Deputies Humphreys and Eoghan Murphy that I will be considering the introduction of waste levies in the future in the context of waste policy as they apply to incineration.

Both Deputies mentioned the possibility of having a levy on packaging. There is a consultation process under way and submissions must be received by 5 August. If they wish to raise this issue, it might be appropriate to make a submission and their views could be considered as part of that process before I come to conclusions. I encourage them to do so.

[Deputy Phil Hogan.]

I have no role in the contract between Dublin City Council and Covanta on the project before us. All I can do is outline waste policy. This dates back to 2001 when the taxpayer provided €7.5 million for Dublin City Council for the appointment of its clients' representative in respect of the proposal at Poolbeg. An application for recoupment of funding for the project was made to the European Commission in 2000 as part of a group of projects entitled, Dublin Region Solid Waste Management Infrastructures — Stage 1. However, no assistance was sought or granted in respect of the actual construction or operation of the facility. The issue of potential liabilities is a matter for the parties to the contract and purely speculative at this point.

I have listened to Deputies talk about the huge exposure of the taxpayer arising from the fact that Dublin City Council and the waste authorities in the region will not be able to supply the necessary amount of waste to this facility, if constructed. That indicates to me that they

have seen the contract. I have not seen it and I do not know who has, but Deputy Stanley seems to know much more than I do about the exposure of the taxpayer.

4 o'clock

Deputy Murphy seems to know more about it also. We have a sufficient amount of municipal waste that must be dealt with under the waste policy higher up in the waste hierarchy in order to divert it away from landfill. As there is more than an adequate amount of material available, I do not know what the scaremongering is about when the Deputies talk about the exposure of the taxpayer when the requirement to have in excess of 320,000 tonnes available for such a facility is capable of being met. Mr. John Hennessy, senior counsel, examined various scenarios and the taxpayer will be exposed to a figure of up to €357 million if we do not proceed with the project, or if the Minister for the Environment, Community and Local Government had anything to do with trying to stop it owing to the contracts signed by the US firm Covanta and Dublin City Council. I am not going to tamper with a contract and thus expose the taxpayer to that amount of money. If we want to stop the project through interfering with the contract, we will be exposing the taxpayer to a figure of €357 million. If we do not want to do anything about diverting waste away from landfill, we will face European Commission fines in 2013. Is that what we want? If it is, the Deputies should tell us how we would pay for this. I am not prepared to pursue a waste policy that will result in taxpayers paying more money in fines to the European Commission, or to break a contract and expose us to potential fines.

I am satisfied that the waste hierarchy on which I have signed off is sufficiently robust and that the new waste policy I will bring forward later this year will take account of the concerns of the Deputies in reducing, reusing and recycling waste material and minimising the exposure of the taxpayer. It will also be more environmentally friendly if we divert waste from landfill sites which nobody wants in his or her constituency.

**Deputy Brian Stanley:** The Minister is wrong to say landfill is the least desirable option. The least desirable option is burning waste because we have no control over where the ash goes. The toxic ash left over — 25% — is more poisonous and dangerous to the environment. The Minister also spoke about our obligations. Our first obligation is to the 6 million people who live on this island.

**Deputy Phil Hogan:** That is, the taxpayer.

**Deputy Brian Stanley:** The taxpayer is already carrying the cost.

Amendment put.

## The Dáil divided: Tá, 35; Níl, 82.

## Tá

Boyd Barrett, Richard.  
 Calleary, Dara.  
 Collins, Joan.  
 Colreavy, Michael.  
 Cowen, Barry.  
 Crowe, Seán.  
 Daly, Clare.  
 Ellis, Dessie.  
 Flanagan, Luke 'Ming'.  
 Fleming, Sean.  
 Fleming, Tom.  
 Healy, Seamus.  
 Higgins, Joe.  
 Kelleher, Billy.  
 Kirk, Seamus.  
 Kitt, Michael P.  
 Mac Lochlainn, Pádraig.  
 McConalogue, Charlie.

McGrath, Finian.  
 McGuinness, John.  
 McLellan, Sandra.  
 Murphy, Catherine.  
 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.  
 Wallace, Mick.

## Níl

Bannon, James.  
 Barry, Tom.  
 Breen, Pat.  
 Broughan, Thomas P.  
 Butler, Ray.  
 Buttimer, Jerry.  
 Byrne, Catherine.  
 Byrne, Eric.  
 Carey, Joe.  
 Coffey, Paudie.  
 Conlan, Seán.  
 Connaughton, Paul J.  
 Coonan, Noel.  
 Corcoran Kennedy, Marcella.  
 Costello, Joe.  
 Coveney, Simon.  
 Creed, Michael.  
 Daly, Jim.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Deering, Pat.  
 Doherty, Regina.  
 Dowds, Robert.  
 Durkan, Bernard J.  
 English, Damien.  
 Farrell, Alan.  
 Feighan, Frank.  
 Ferris, Anne.  
 Fitzgerald, Frances.  
 Fitzpatrick, Peter.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Gilmore, Eamon.  
 Griffin, Brendan.  
 Harrington, Noel.  
 Heydon, Martin.  
 Hogan, Phil.  
 Howlin, Brendan.  
 Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.

Kehoe, Paul.  
 Kenny, Seán.  
 Kyne, Seán.  
 Laylor, Anthony.  
 Lynch, Kathleen.  
 Lyons, John.  
 McEntee, Shane.  
 McFadden, Nicky.  
 Maloney, Eamonn.  
 Mathews, Peter.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Nash, Gerald.  
 Neville, Dan.  
 Nolan, Derek.  
 Ó Ríordáin, Aodhán.  
 O'Donnell, Kieran.  
 O'Donovan, Patrick.  
 O'Dowd, Fergus.  
 O'Mahony, John.  
 O'Reilly, Joe.  
 O'Sullivan, Jan.  
 Phelan, Ann.  
 Phelan, John Paul.  
 Quinn, Ruairí.  
 Rabbitte, Pat.  
 Ring, Michael.  
 Ryan, Brendan.  
 Shatter, Alan.  
 Shortall, Róisín.  
 Spring, Arthur.  
 Stanton, David.  
 Timmins, Billy.  
 Tuffy, Joanna.  
 Twomey, Liam.  
 Varadkar, Leo.  
 Wall, Jack.  
 White, Alex.

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

Amendment declared lost.

Amendment No. 15 not moved.

Bill recommitted in respect of amendments Nos. 16 to 46, inclusive.

**Deputy Phil Hogan:** I move amendment No. 16:

In page 8, between lines 25 and 26, to insert the following:

“PART 4 AMENDMENT OF PLANNING AND DEVELOPMENT ACT 2000

8.- In this Part -

“Act of 2000” means the Planning and Development Act 2000;

“Act of 2006” means the Planning and Development (Strategic Infrastructure) Act 2006;

“Act of 2010” means the Planning and Development (Amendment) Act 2010.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 17:

In page 8, between lines 25 and 26, to insert the following:

9.—Section 2(1) of the Act of 2000 is amended by inserting the following definitions:

“‘operator’ in relation to a quarry means a person who at all material times is in charge of the carrying on of quarrying activities at a quarry or under whose direction such activities are carried out;

‘quarry’ has the meaning assigned to it by section 3 of the Mines and Quarries Act 1965;”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 18:

In page 8, between lines 25 and 26, to insert the following:

10.—(1) Section 4 of the Act of 2000 is amended -

(a) in subsection (1) -

(i) by substituting the following paragraph for paragraph (i):

“(i) development consisting of the thinning, felling or replanting of trees, forests or woodlands or works ancillary to that development, but not including the replacement of broadleaf high forest by conifer species;”.

(ii) by inserting the following paragraph after paragraph (i):



“(ia) development (other than where the development consists of provision of access to a public road) consisting of the construction, maintenance or improvement of a road (other than a public road) or works ancillary to such road development, where the road serves forests and woodlands;”,

(iii) in paragraph (l), by inserting “or works consisting of land reclamation or reclamation of estuarine marsh land and of callows, referred to in section 2 of that Act” after “the works are commenced”,

and

(b) by substituting the following subsection for subsection (4):

“(4) Notwithstanding paragraphs (a), (i), (ia) and (l) of subsection (1) and any regulations under subsection (2), development shall not be exempted development if an environmental impact assessment or an appropriate assessment of the development is required.

(4A) Notwithstanding subsection (4), the Minister may make regulations prescribing development or any class of development that is —

(a) authorised, or required to be authorised by or under any statute (other than this Act) whether by means of a licence, consent, approval or otherwise, and

(b) as respects which an environmental impact assessment or an appropriate assessment is required,

to be exempted development.”.

(2) The amendment to section 4 of the Act of 2000 effected by *subsection (1)* shall not apply as respects development —

(a) begun prior to the commencement of this section, and

(b) completed not later than 12 months after such commencement,

unless, immediately before such commencement, the development was being carried on in contravention of the Act of 2000 or regulations under that Act.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 19:

In page 8, between lines 25 and 26, to insert the following:

11. — Section 13 of the Act of 2000 is amended —

(a) in subsection (2)(a) (amended by section 10(a) of the Act of 2010) by inserting “the Minister for Arts, Heritage and the Gaeltacht,” after “the Minister,”, and

(b) in subsection (8)(c) (amended by section 10(e) of the Act of 2010) by inserting “the Minister for Arts, Heritage and the Gaeltacht,” after the “Minister,”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 20:

[Deputy Phil Hogan.]

In page 8, between lines 25 and 26, to insert the following:

12.—Section 30 of the Act of 2000 is amended by the insertion of “save as provided for by sections 177X, 177Y, 177AB and 177AC” after “concerned”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 21:

In page 8, between lines 25 and 26, to insert the following:

13. — Section 50A of the Act of 2000 is amended —

(a) in subsection (3)(b)(i) by substituting “sufficient interest” for “substantial interest”, and

(b) in subsection (4) by substituting “sufficient interest” for “substantial interest”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 22:

In page 8, between lines 25 and 26, to insert the following:

14. — Section 50B of the Act of 2000 is amended by -

(a) substituting the following subsection for subsection (2):

“(2) Notwithstanding anything contained in Order 99 of the Rules of the Superior Courts (S.I. No. 15 of 1986) and subject to subsections (2A), (3) and (4), in proceedings to which this section applies, each party to the proceedings (including any notice party) shall bear its own costs.”,

and

(b) inserting the following subsection after subsection (2):

“(2A) The costs of proceedings, or a portion of such costs, as are appropriate, may be awarded to the applicant to the extent that the applicant succeeds in obtaining relief and any of those costs shall be borne by the respondent or notice party, or both of them, to the extent that the actions or omissions of the respondent or notice party, or both of them, contributed to the applicant obtaining relief.”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 23:

In page 8, between lines 25 and 26, to insert the following:

15. — (1) Subsection (1) of section 57 (amended by section 34 of the Act of 2010) of the Act of 2000 is amended by inserting “(ia)” between “(i)” and “(j)”.

(2) The amendment effected by *subsection (1)* shall not apply to development begun prior to the commencement of this section and completed not later than 12 months after

such commencement, unless, immediately before such commencement, the development was being carried on in contravention of the Act of 2000 or regulations made under that Act.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 24:

In page 8, between lines 25 and 26, to insert the following:

16.—(1) Subsection (1) of section 82 of the Act of 2000 is amended by substituting “Notwithstanding paragraph (a), (h), (i), (ia), (j), (k) or (l) of section 4(1), or any regulations made under section 4(2),” for “Notwithstanding section 4(1)(h),”.

(2) The amendment effected by *subsection (1)* shall not apply to development begun prior to the commencement of this section and completed not later than 12 months after such commencement, unless, immediately before such commencement, the development was being carried on in contravention of the Act of 2000 or regulations made under that Act.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 25:

In page 8, between lines 25 and 26, to insert the following:

17.—(1) Subsection (1) of section 87 of the Act of 2000 is amended by substituting “Notwithstanding paragraph (a), (h), (i), (ia), (j), (k) or (l) of section 4(1), or any regulations made under section 4(2),” for “Notwithstanding section 4 and any regulations made thereunder,”.

(2) The amendment effected by *subsection (1)* shall not apply to development begun prior to the commencement of this section and completed not later than 12 months after such commencement, unless, immediately before such commencement, the development was being carried on in contravention of the Act of 2000 or regulations made under it.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 26:

In page 8, between lines 25 and 26, to insert the following:

18. — Section 130 of the Act of 2000 is amended by substituting the following subsection for subsection (5) (amended by section 42 of the Act of 2010):

“(5) Subsections (1)(b) and (4) shall not apply to submissions or observations made by a Member State or another state which is a party to the Transboundary Convention, arising from consultation in accordance with the Environmental Impact Assessment Directive or the Transboundary Convention, as the case may be, in relation to the effects on the environment of the development to which the appeal under section 37 relates.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 27:

[Deputy Phil Hogan.]

In page 8, between lines 25 and 26, to insert the following:

19. — Section 135 (amended by section 23 of the Act of 2006) of the Act of 2000 is amended -

(a) in subsection (2) by substituting “given by the Board under subsection (2A) or (2AB)” for “given by the Board under subsection (2A)”;

(b) by inserting the following subsections after subsection (2A):

“(2AB) The Board may in its absolute discretion, following a recommendation in relation to the matter from a person assigned to make a written report under section 146, give a direction to a person assigned to conduct an oral hearing that he or she shall allow points or arguments in relation to specified matters only during the oral hearing.

(2AC) Where a direction is given by the Board under subsection (2AB) the person to whom it is given shall comply with the direction unless that person forms the opinion that it is necessary, in the interests of observing fair procedures, to allow a point or an argument to be made during the oral hearing in relation to matters not specified in the direction.

(2AD) The Board shall give a notice of its direction under subsection (2AB) to -

(a) each party, in the case of an appeal or referral,

(b) the applicant and planning authority in the case of an application -

(i) under this Act,

(ii) for a railway order under the Act of 2001, or

(iii) for approval under section 51 of the Roads Act 1993, and

(c) each person who has made objections, submissions or observations to the Board in the case of an appeal, referral or application.

(2AE) The points or summary of the arguments that a person intending to appear at the oral hearing shall submit to the person conducting the hearing, where a direction has been given under subsection (2A) or (2AB), shall be limited to points or arguments in relation to matters specified in the direction under subsection (2AB).”.

(c) In subsection (2B) (inserted by section 23 of the Act of 2006), by inserting the following paragraph after paragraph (d):

“(dd) may refuse to allow the making of a point or an argument in relation to any matter where -

(i) a direction has been given under subsection (2AB) and the matter is not specified in the direction, and

(ii) he or she has not formed the opinion referred to in subsection (2AC).”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 28:

In page 8, between lines 25 and 26, to insert the following:

20.—Section 153 (amended by section 45 of the Act of 2010) of the Act of 2000 is amended—

(a) by repealing subsection (6),

(b) by substituting the following subsections for subsection (7):

“(7) Where a planning authority establishes, following an investigation under this section that unauthorised development (other than development that is of a trivial or minor nature) has been or is being carried out and the person who has carried out or is carrying out the development has not proceeded to remedy the position, then the authority shall issue an enforcement notice under section 154 or make an application pursuant to section 160, or shall both issue such a notice and make such an application, unless there are compelling reasons for not doing so.

(8) Nothing in this section shall operate to prevent or shall be construed as preventing a planning authority, in relation to an unauthorised development which has been or is being carried out, from both issuing an enforcement notice under section 154 and making an application pursuant to section 160.”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 29:

In page 8, between lines 25 and 26, to insert the following:

21.—Subsection (4) of section 157 of the Act of 2000 is amended by inserting the following paragraphs after paragraph (a):

“(aa) Notwithstanding paragraph (a) a warning letter or enforcement notice may issue at any time or proceedings for an offence under this Part may commence at any time in respect of unauthorised quarry development or unauthorised peat extraction development in the following circumstances:

(i) where no permission for the development has been granted under Part III and the development commenced not more than 7 years prior to the date on which this paragraph comes into operation;

(ii) where permission for the development has been granted under Part III and, as respects the permission—

(I) the appropriate period (within the meaning of section 40), or

(II) the appropriate period as extended under section 42 or 42A,

expired not more than 7 years prior to the date on which this paragraph comes into operation.

(ab) Notwithstanding paragraph (a) or (aa) a warning letter or enforcement notice may issue at any time to require any unauthorised quarry development or unauthorised peat extraction development to cease and proceedings for an offence under section 154 may issue at any time in relation to an enforcement notice so issued.”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 30:

In page 8, between lines 25 and 26, to insert the following:

22.—Subsection (6) of section 160 of the Act of 2000 is amended by inserting the following paragraphs after paragraph (a):

“(aa) Notwithstanding paragraph (a) an application to the High Court or Circuit Court for an order under this section may be made at any time in respect of unauthorised quarry development or unauthorised peat extraction development in the following circumstances:

(i) where no permission for the development has been granted under Part III and the development commenced not more than 7 years prior to the date on which this paragraph comes into operation;

(ii) where permission for the development has been granted under Part III and, as respects the permission—

(I) the appropriate period (within the meaning of section 40), or

(II) the appropriate period as extended under section 42 or 42A,

expired not more than 7 years prior to the date on which this paragraph comes into operation.

(ab) Notwithstanding paragraph (a) or (aa), an application to the High Court or Circuit Court may be made at any time for an order under this section to cease unauthorised quarry development or unauthorised peat extraction development.”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 31:

In page 8, between lines 25 and 26, to insert the following:

23.—Subsection (2) of section 170 of the Act of 2000 is amended by substituting “Subject to the provisions of Part X or Part XAB, or both of those Parts as appropriate, a planning authority shall” for “A planning authority shall”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 32:

In page 8, between lines 25 and 26, to insert the following:

24.—Section 177R (inserted by section 57 of the Act of 2010) of the Act of 2000 is amended by the substitution of the following definition for the definition of “candidate special protection area”:

“‘candidate special protection area’ means a site in relation to which the Minister for Arts, Heritage and the Gaeltacht has given notice pursuant to regulations under the European Communities Act 1972 that he or she considers that the site may be eligible for classification as a special protection area pursuant to Article 4 of the Birds Directive

but only until the public notification of the making of a decision by that Minister to classify or not to classify such a site as a special protection area;”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 33:

In page 8, between lines 25 and 26, to insert the following:

25.—The Act of 2000 is amended by substituting the following section for section 177X (inserted by section 57 of the Act of 2010):

“177X.—(1) Where the Minister receives a statement of case under section 177W(1) relating to a European site that does not host a priority habitat type or priority species, he or she shall as soon as possible—

(a) consider whether imperative reasons of overriding public interest exist,

(b) consult with such other Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister, and

(c) consider any views of a Minister of the Government consulted pursuant to paragraph (b) and which are received by the Minister before he or she issues a notice under subsection (5) or (6).

(2) (a) Where the Minister considers that imperative reasons of overriding public interest may exist, he or she shall as soon as possible request the views of the Minister for Arts, Heritage and the Gaeltacht as to whether the compensatory measures specified in the statement of case are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(b) Following receipt of the views of the Minister for Arts, Heritage and the Gaeltacht, the Minister may enter into consultations with the competent authority, who may submit a revised or modified plan or revised or modified compensatory measures.

(c) The Minister may enter into consultations with the Minister for Arts, Heritage and the Gaeltacht and further consultations with the competent authority in relation to the draft Land use plan, or revised or modified draft Land use plan or the compensatory measures or revised or modified compensatory measures.

(3) The Minister for Arts, Heritage and the Gaeltacht, as soon as possible after the request of the Minister for views under subsection (2)(a) or, as the case may be, the completion of consultations with the Minister under subsection (2)(c) shall furnish an opinion to the Minister as to whether the compensatory measures, or revised or modified compensatory measures, as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(4) The Minister for Arts, Heritage and the Gaeltacht, when giving his or her opinion on the compensatory measures under subsection (3), may also give his or her views as to whether imperative reasons of overriding public interest exist, and any such views shall be considered by the Minister before he or she issues a notice under subsection (5) or (6).

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(5) Where the Minister forms the opinion that imperative reasons of overriding public interest exist, and the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures, as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected, the Minister shall as soon as possible issue a notice to this effect to the competent authority and the competent authority may decide to make —

(a) the Land use plan, or

(b) that part of the Land use plan that would have an adverse effect on the integrity of a European site.

(6) Where the Minister forms the opinion that imperative reasons of overriding public interest do not exist, or the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures or revised or modified compensatory measures, as the case may be, are not sufficient to ensure that the overall coherence of the Natura 2000 network is protected, the Minister shall as soon as possible issue a notice to this effect to the competent authority and the competent authority shall not make—

(a) the Land use plan, or

(b) that part of the Land use plan that would have an adverse effect on the integrity of a European site.

(7) Where the Minister issues a notice under subsection (5) he or she shall inform the Commission of the matter, including the compensatory measures proposed.

(8) The competent authority shall make available for inspection by members of the public during office hours at the office of the authority, and may also publish on the internet a notice issued to the authority under subsection (5) or (6).”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 34:

In page 8, between lines 25 and 26, to insert the following:

26.—The Act of 2000 is amended by substituting the following section for section 177Y (inserted by section 57 of the Act of 2010):

“177Y.—(1) Where the Minister receives a statement of case under section 177W(1) relating to a European site that hosts a priority habitat type or priority species, he or she shall as soon as possible—

(a) consider whether imperative reasons of overriding public interest exist,

(b) consult with such other Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister, and

(c) consider any views of a Minister of the Government consulted pursuant to paragraph (b) and which are received by the Minister before he or she issues a notice under subsection (6), (7) or (8).



(2) (a) Where the Minister considers that imperative reasons of overriding public interest may exist and may comprise or include a reason or reasons other than the reasons set out in section 177W(4)(a) to (c), the Minister shall consider whether the opinion of the Commission should be sought in relation to the matter.

(b) Where the Minister proposes not to seek the opinion of the Commission pursuant to paragraph (a) he or she shall, in addition to any consultation that may have taken place under subsection (1)(b), as soon as possible consult with such other Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister and request that the other Minister furnish his or her views as soon as possible.

(c) The Minister shall consider any views received from any other Minister of the Government consulted under paragraph (b) where those views are received by the Minister before he or she decides whether to seek the opinion of the Commission under paragraph (a).

(3) (a) Where the Minister considers that imperative reasons of overriding public interest may exist, he or she shall, as soon as possible, request the views of the Minister for Arts, Heritage and the Gaeltacht as to whether the compensatory measures specified in the statement of case are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(b) Following receipt of the views of the Minister for Arts, Heritage and the Gaeltacht, the Minister may enter into consultations with the competent authority, who may submit a revised or modified plan or revised or modified compensatory measures.

(c) The Minister may enter into consultations with the Minister for Arts, Heritage and the Gaeltacht and further consultations with the competent authority in relation to the draft Land use plan, or revised or modified draft Land use plan or the compensatory measures or revised or modified compensatory measures.

(4) The Minister for Arts, Heritage and the Gaeltacht, as soon as possible after the request of the Minister for views under subsection (3)(a) or, as the case may be, the completion of consultations with the Minister under subsection (3)(c) shall furnish an opinion to the Minister as to whether the compensatory measures, or revised or modified compensatory measures, as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(5) The Minister for Arts, Heritage and the Gaeltacht when giving his or her opinion on the compensatory measures under subsection (4), may also give his or her views as to whether imperative reasons of overriding public interest exist and any such views shall be considered by the Minister before he or she issues a notice under subsection (6), (7) or (8).

(6) Where the Minister forms the opinion that imperative reasons of overriding public interest comprising only a reason or reasons set out in section 177W(4)(a) to (c) exist, and the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected, the Minister shall issue a notice to this effect to the competent authority and the competent authority may decide to make—

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(a) the Land use plan, or

(b) that part of the Land use plan that would have an adverse effect on the integrity of a European site.

(7) Where—

(a) the Minister forms the opinion that imperative reasons of overriding public interest, comprising or including a reason or reasons other than those in section 177W(4)(a) to (c) exist, and

(b) the Minister has obtained the opinion of the Commission in relation to the matter, and

(c) the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected,

the Minister shall issue a notice to this effect to the competent authority, accompanied by a copy of the opinion of the Commission, and the competent authority, only after having considered the opinion of the Commission, may decide to make—

(i) the Land use plan, or

(ii) that part of the Land use plan that would have an adverse effect on the integrity of a European site.

(8) Where—

(a) the Minister forms the opinion that imperative reasons of overriding public interest do not exist, or

(b) the Minister forms the opinion that the imperative reasons of overriding public interest comprise or include a reason or reasons other than those in section 177W(4)(a) to (c) and the Minister has decided not to seek the opinion of the Commission in relation to the matter, or

(c) the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures as the case may be, are not sufficient to ensure that the overall coherence of the Natura 2000 network is protected,

the Minister shall issue a notice to this effect to the competent authority and the competent authority shall not make—

(i) the Land use plan, or

(ii) that part of the Land use plan that would have an adverse effect on the integrity of a European site.

(9) Where the Minister issues a notice under subsection (6) or (7) he or she shall inform the Commission of the matter, including the compensatory measures proposed.

(10) The competent authority shall make available for inspection by members of the public during office hours at the office of the authority, and may also publish on the internet a notice issued to the authority under subsection (6), (7) or (8).”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 35:

In page 8, between lines 25 and 26, to insert the following:

27.—Section 177Z (inserted by section 57 of the Act of 2010) of the Act of 2000 is amended by the substitution of the following subsection for subsection (1):

“(1) Where a competent authority has received a notice from the Minister under section 177X(6) or section 177Y(8) in relation to a draft Land use plan, and the authority is satisfied that the draft plan can be amended so that it no longer contains the parts or elements which were the subject of a determination under section 177V that the plan would adversely affect a European site, then the authority may make the plan having omitted those parts or elements therefrom.”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 36:

In page 8, between lines 25 and 26, to insert the following:

28.—The Act of 2000 is amended by substituting the following section for section 177AB (inserted by section 57 of the Act of 2010):

“177AB.—(1) (a) Where the Minister receives a statement of case under section 177AA(1) relating to a European site that does not host a priority habitat type or priority species, he or she shall as soon as possible request the views of the Minister for Arts, Heritage and the Gaeltacht as to whether the compensatory measures are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(b) Following receipt of the views of the Minister for Arts, Heritage and the Gaeltacht, the Minister may enter into consultations with the competent authority, who having consulted with the applicant for consent for the proposed development, may submit to the Minister a modified proposal for the development, modified proposed conditions to be attached to the proposed development or modified or alternative proposed compensatory measures.

(c) The Minister may enter into consultations with the Minister for Arts, Heritage and the Gaeltacht and further consultations with the competent authority in relation to the proposal for the development or any modified proposal for the development, the proposed conditions or any modified proposed conditions to be attached to the proposed development and the compensatory measures or any alternative proposed compensatory measures.

(2) The Minister for Arts, Heritage and the Gaeltacht as soon as possible after the request of the Minister for views under subsection (1)(a) or, as the case may be, the completion of consultations with the Minister under subsection (1)(c), shall furnish an opinion to the Minister as to whether the compensatory measures or modified or alterna-

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tive proposed compensatory measures, as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(3) Where the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures, as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected, the Minister as soon as possible following the receipt of the opinion, shall issue a notice to this effect to the competent authority and the competent authority may decide to grant consent for the proposed development with or without conditions.

(4) Where the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures, as the case may be, are not sufficient to ensure that the overall coherence of the Natura 2000 network is protected, the Minister as soon as possible following the receipt of the opinion shall issue a notice to this effect to the competent authority and the competent authority shall not grant consent for the proposed development.

(5) Where the Minister issues a notice under subsection (3) he or she shall inform the Commission of the matter, including the compensatory measures proposed.

(6) The competent authority shall make available for inspection by members of the public during office hours at the office of the authority, and may also publish on the internet a notice issued to the authority under subsection (3) or (4).”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 37:

In page 8, between lines 25 and 26, to insert the following:

29.—The Act of 2000 is amended by substituting the following section for section 177AC (inserted by section 57 of the Act of 2010):

“177AC.—(1) (a) Where the Minister receives a statement of case under section 177AA(1) relating to a European site that hosts a priority habitat type or priority species he or she shall as soon as possible request the views of the Minister for Arts, Heritage and the Gaeltacht as to whether the compensatory measures are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(b) Following receipt of the views of the Minister for Arts, Heritage and the Gaeltacht, the Minister may enter into consultations with the competent authority, who having consulted with the applicant for consent for the proposed development, may submit to the Minister a modified proposal for the development, modified proposed conditions to be attached to the proposed development, or modified or alternative proposed compensatory measures.

(c) The Minister may enter into consultations with the Minister for Arts, Heritage and the Gaeltacht and into further consultations with the competent authority in relation to the proposal for the development or any modified proposal for the development, the proposed conditions or any modified proposed conditions to be attached to the proposed development and the compensatory measures or any modified or alternative proposed compensatory measures.

(2) (a) Where the Minister considers that the imperative reasons of overriding public interest comprise or include a reason or reasons other than the reasons set out in section 177AA(4)(a) to (c), the Minister shall consider whether the opinion of the Commission should be sought in relation to the matter.

(b) Where the Minister proposes not to seek the opinion of the Commission he or she shall as soon as possible consult with such other Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister and request that other Minister to furnish his or her views as soon as possible.

(c) The Minister shall consider any views received from any other Minister of the Government consulted under paragraph (b) where those views are received by the Minister before he or she decides whether to seek the opinion of the Commission under paragraph (a).

(3) The Minister for Arts, Heritage and the Gaeltacht, as soon as possible after the request of the Minister for views under subsection (1)(a) or, as the case may be, the completion of consultations with the Minister under subsection (1)(c), shall furnish an opinion to the Minister as to whether the compensatory measures or modified or alternative proposed compensatory measures, as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected.

(4) Where the Minister forms the opinion that the imperative reasons of overriding public interest comprise only a reason or reasons set out in section 177AA(4)(a) to (c) and the Minister for Arts, Heritage and the Gaeltacht has furnished an opinion that the compensatory measures, or revised or modified compensatory measures as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected, the Minister shall issue a notice to this effect to the competent authority and the competent authority may decide to grant consent for the proposed development, with or without conditions.

(5) Where—

(a) the Minister forms the opinion that the imperative reasons of overriding public interest comprise or include a reason or reasons other than those in section 177AA(4)(a) to (c), and

(b) the Minister has obtained the opinion of the Commission in relation to the matter, and

(c) the Minister for Arts, Heritage and the Gaeltacht has given an opinion that the compensatory measures, or revised or modified compensatory measures as the case may be, are sufficient to ensure that the overall coherence of the Natura 2000 network is protected,

the Minister shall issue a notice to this effect to the competent authority, accompanied by a copy of the opinion of the Commission, and the competent authority, only after having considered the opinion of the Commission may decide to grant consent for the proposed development, with or without conditions.

(6) Where—

(a) the Minister forms the opinion that the imperative reasons of overriding public interest comprise or include a reason or reasons other than those in section

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177AA(4)(a) to (c) and the Minister has decided not to seek the opinion of the Commission in relation to the matter, or

(b) the Minister for Arts, Heritage and the Gaeltacht has given as his or her opinion that the compensatory measures or modified or alternative proposed compensatory measures, as the case may be, are not sufficient to ensure the overall coherence of the Natura 2000 network is protected,

the Minister shall issue a notice to this effect to the competent authority and the competent authority shall not grant consent for the proposed development.

(7) Where the Minister issues a notice under subsection (4) or (5) he or she shall inform the Commission of the matter, including the compensatory measures proposed.

(8) The competent authority shall make available for inspection by members of the public during office hours at the offices of the authority and may also publish on the internet a notice issued to the authority under subsection (6), (7) or (8).”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 38:

In page 8, between lines 25 and 26, to insert the following:

30.—Section 181A (inserted by section 36 of the Act of 2006) of the Act of 2000 is amended as follows—

(a) by substituting “effects on the environment or adverse effects on the integrity of a European site, as the case may be,” for “effects on the environment” in each place (other than in subsections (3)(a)(i)(III) and (3)(c)) where it occurs,

(b) by substituting “environmental impact statement or Natura impact statement or both of those statements, as the case may be,” for “environmental impact statement” in each place (other than in subsections (3)(c), (4)(b) and (7)(a)(ii)) where it occurs, and

(c) by substituting “revised environmental impact statement or revised Natura impact statement or both of those statements, as the case may be,” for “revised environmental impact statement” in both places where it occurs in subsections (4)(b) and (7)(a)(ii).”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 39:

In page 8, between lines 25 and 26, to insert the following:

31.—Section 181B (inserted by section 36 of the Act of 2006) of the Act of 2000 is amended—

(a) by substituting “environmental impact statement or Natura impact statement or both of those statements, as the case may be,” for “environmental impact statement” in each place where it occurs,

(b) in subsection (1), by substituting “effects on the environment or adverse effects on the integrity of a European site”, for “effects on the environment” in each place where it occurs, and

(c) in subsection (3) by substituting “the effects, if any of the proposed development on the environment or adverse effects, if any of the proposed development on the integrity of a European site” for “the effects, if any of the proposed development on the environment”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 40:

In page 8, between lines 25 and 26, to insert the following:

32.—Section 182A (inserted by section 4 of the Act of 2006) of the Act of 2000 is amended—

(a) by substituting “effects on the environment or adverse effects on the integrity of a European site, as the case may be,” for “effects on the environment” in each place (other than in subsections (4)(a)(i)(III) and (4)(c)) where it occurs,

(b) by substituting “environmental impact statement or Natura impact statement or both of those statements, as the case may be,” for “environmental impact statement” in each place (other than in subsection (4)(c), (5)(b) and in both places in subsection (8)(a)) where it occurs,

(c) by substituting “revised environmental impact statement or revised Natura impact statement or both of those statements, as the case may be,” for “revised environmental impact statement” where it occurs in subsections (5)(b) and (8)(a)(ii), and

(d) by substituting “revised environmental impact statement or revised Natura impact statement or both of those statements, as the case may be,” for “environmental impact statement” where it occurs for the second time in subsection (8)(a).”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 41:

In page 8, between lines 25 and 26, to insert the following:

33.—Section 182C (inserted by section 4 of the Act of 2006) of the Act of 2000 is amended—

(a) by substituting “effects on the environment or adverse effects on the integrity of a European site, as the case may be,” for “effects on the environment” in each place (other than in subsection (4)(a)(i)(III), and both places in subsection (4)(b)) where it occurs,

(b) by substituting “environmental impact statement or Natura impact statement or both of those statements, as the case may be,” for “environmental impact statement” in each place (other than in both places in subsection (8)) where it occurs, and,

(c) in subsection (8), by substituting—

[Deputy Phil Hogan.]

(i) “a revised environmental impact statement or revised Natura impact statement or both of those statements, as the case may be,” for “a revised environmental impact statement”, and

(ii) “the revised environmental impact statement or revised Natura impact statement or both of those statements, as the case may be,” for “the environmental impact statement”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 42:

In page 8, between lines 25 and 26, to insert the following:

34.—The Seventh Schedule to the Act of 2000 (inserted by section 5 of the Act of 2006) is amended by substituting the following paragraph for paragraph 4 (inserted by section 78 of the Act of 2010):

*“Health Infrastructure*

4. Development comprising the following:

A health care facility (other than a development which is predominantly for the purposes of providing care services (within the meaning of section 3 of the Nursing Homes Support Scheme Act 2009)) which, whether or not the facility is intended to form part of another health care facility, shall provide in-patient services and shall have not fewer than 100 beds in order to so provide.”.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 43:

In page 8, between lines 25 and 26, to insert the following:

35.—Sections 5, 35, 36, 43, 47, 48, 52, 60, 61, 63, paragraphs (b), (c) and (d) of section 65 and section 69 of the Act of 2010 are repealed.”.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 44:

In page 8, between lines 34 and 35, to insert the following:

9.—Section 6 of the Local Government Act of 1998 is amended—

(a) in subsection (2A) by substituting the following paragraph for paragraph (a):

“(a) public roads (within the meaning of the Act of 1993) and public transport infrastructure,”,

and

(b) by inserting the following subsection after subsection (8):



“(9) In this section—

‘Act of 1993’ means the Roads Act 1993;

‘Act of 2001’ means the Transport (Railway Infrastructure) Act 2001;

‘bus’ means a mechanically propelled vehicle designed for travel by road having seating accommodation for more than 9 persons (including the driver);

‘busway’ has the meaning assigned to it by section 44(1) of the Act of 1993;

‘cycleway’ has the meaning assigned to it by section 68(1) of the Act of 1993;

‘interchange facilities’ means infrastructure or premises which facilitate transport users using different modes of transport, including but not limited to park and ride facilities and facilities that allow for the stopping, parking or standing of taxis, cycles, motor cycles, buses, trains and cars in order to facilitate users of one mode of transport transferring to another mode;

‘light railway’ means a railway designated as a light railway in a railway order made under the Act of 2001;

‘metro’ means a railway designated as a metro in a railway order made under the Act of 2001;

‘public passenger transport services’ means rail passenger service or public bus service;

‘public transport infrastructure’ means infrastructure constructed or provided, or proposed to be constructed or provided in connection with the provision of public passenger transport services, for the use of and which includes but is not limited to railway infrastructure, metro railway infrastructure, light railway infrastructure, rolling stock, buses, busways, bus garages, cycleways, cycle and pedestrian facilities, or interchange facilities;

‘railway infrastructure’ has the meaning assigned to it by the Act of 2001.”.

This amendment provides for payments from the local government fund to the Minister for Transport, Tourism and Sport to be expended on all public roads, whether national, regional or local, and on the provision of public transport infrastructure.

Amendment agreed to.

**Acting Chairman (Deputy Joanna Tuffy):** Amendments Nos. 45 and 46 are related and may be taken together.

**Deputy Phil Hogan:** I move amendment No. 45:

In page 9, after line 27 to insert the following:

12.—The Local Government Act 2001 is amended by the substitution of the following Part for Part 18:

“PART 18

“PLACENAMES

[Deputy Phil Hogan.]

188.—In this Part—

‘functional area’ means as respects—

- (a) a city council, the city,
- (b) a county council, the county exclusive of any town to which paragraph (c) applies,
- (c) a town council, the town;

‘locality’ means a part (other than a town, townland, nonmunicipal town or street) of a county, city or town in respect of which a name (other than the name of the county, city or town concerned) is in common use;

‘non-municipal town’ means a place (other than a city or town) that is designated a town in the most recent census report published by the Central Statistics Office setting out the final result of a census of population of the State (whether or not that is the most recent such census of population);

‘placename’ includes the name of a county, city, town, nonmunicipal town, village, barony, parish, townland, street or locality, or of any feature (whether natural or artificial), district, region or place, as described in a map produced by Ordnance Survey Ireland;

‘qualified elector’ means a person who, in relation to a place (including a street) to which a placename applies, is registered as a local government elector in the register of electors for the time being in force;

‘street’ includes—

- (a) part of a street, and
- (b) a road, square, lane or any other public place or part thereof.

189.—(1) A local authority may, in relation to a place situated within its functional area, by resolution passed by not less than half of the members standing elected or coopted for the time being to that local authority adopt a proposal to substitute a new placename (in this section referred to as the ‘proposed new placename’) for the then existing placename in respect of that place.

(2) The boundary of the place to which a proposal adopted under subsection (1) applies shall be described in that proposal whether by reference to a map or otherwise.

(3) A proposal adopted under subsection (1) shall specify the proposed new placename in the Irish language only or in both the Irish language and the English language.

(4) Where a local authority adopts a proposal under subsection (1) it shall—

(a) notify such persons, or persons belonging to such class of person, as may be prescribed by regulations made by the Minister of the adoption of the proposal, and

(b) publish a public notice of the proposal inviting submissions in writing from members of the public in relation thereto not later than 2 months from the date of the publication of the notice.

(5) A person who receives a notification under paragraph (a) of subsection (4) shall be entitled to make submissions in writing to the local authority that gave the notification in relation to the proposal concerned not later than 2 months from the date of the notification.

(6) A local authority shall consider any submissions received by it in accordance with a notification under paragraph (a) of subsection (4) or a notice under paragraph (b) of that subsection.

(7) After considering any submissions referred to in subsection (6), a local authority may, by resolution passed by not less than half of the members standing elected or coopted for the time being to that local authority decide—

(a) to hold a ballot of the qualified electors registered in the place to which the proposed new placename applies in respect of the proposed new placename or such alternative to the proposed new placename as it considers appropriate, or

(b) not to proceed with the proposal to change the placename of the place concerned.

(8) A ballot to which subsection (7) applies shall be in secret and shall be conducted in accordance with regulations made by the Minister.

(9) (a) Subject to subsection (3) of section 192, if a majority of the votes cast at a ballot held pursuant to a decision under subsection (7) is in favour of the proposed new placename concerned the Cathaoirleach of the local authority concerned shall make a declaration stating that, from such date (determined in accordance with paragraph (b)) as is specified in the declaration, that proposed new placename shall become and be the placename in respect of the place concerned.

(b) Where the Cathaoirleach of a local authority makes a declaration under this subsection, the placename specified in the declaration shall—

(i) if the declaration is made not less than 3 months before the 1st day of January next following the declaration, become and be the placename in respect of the place concerned from the said 1st day of January, or

(ii) in any other case, become and be the placename in respect of the place concerned from the first anniversary of the said 1st day of January.

(c) Every declaration under this subsection shall be published in such manner as may be prescribed by regulations made by the Minister and shall be notified in writing to such persons, or persons belonging to such class of person, as may be so prescribed.

(d) Every declaration under this subsection shall be published in *Iris Oifigiúil*, as soon as may be after its making.

(10) This section shall not apply to the townland, civil parish, non-municipal town or electoral division referred to in section 191.

190.—(1) (a) A local authority may, in relation to a place that is situated—

(i) in its functional area, and

[Deputy Phil Hogan.]

(ii) in the functional area of another local authority or the functional areas of other local authorities, by resolution passed by not less than half of the members standing elected or coopted for the time being to the first-mentioned local authority, propose to substitute a new placename (in this section referred to as the ‘proposed new placename’) for the then existing placename in respect of that place.

(b) A proposal referred to in paragraph (a) shall stand adopted by the local authority first-mentioned in that paragraph upon the passing, in accordance with paragraph (c), of a resolution by each other local authority within whose functional area part of the place concerned is also situated consenting to the adoption of the proposal.

(c) A resolution referred to in paragraph (b) shall be passed by not less than half of the members standing elected or coopted for the time being to the local authority concerned.

(2) The boundary of the place to which a proposal adopted under subsection (1) applies shall be described in that proposal whether by reference to a map or otherwise.

(3) A proposal adopted under subsection (1) shall specify the proposed new placename in the Irish language only or in both the Irish language and the English language.

(4) Where a proposal stands adopted under subsection (1), each local authority shall, in respect of that part of the place situated in its functional area—

(a) notify such persons, or persons belonging to such class of person, as may be prescribed by regulations made by the Minister of the adoption of the proposal, and

(b) publish a public notice of the proposal inviting submissions in writing from members of the public in relation thereto not later than 2 months from the date of the publication of the notice.

(5) A person who receives a notification under paragraph (a) of subsection (4) shall be entitled to make submissions in writing to the local authority that gave the notification in relation to the proposal concerned not later than 2 months from the date of the notification.

(6) A local authority shall consider any submissions received by it in accordance with a notification under paragraph (a) of subsection (4) or a notice under paragraph (b) of that subsection.

(7) After considering any submissions referred to in subsection (6), each local authority concerned may, by resolution passed by not less than half of the members standing elected or coopted for the time being to that local authority decide—

(a) to hold a ballot of the qualified electors registered in the place to which the proposed new placename applies in respect of the proposed new placename or such alternative to the proposed new placename as the local authorities concerned consider appropriate, or

(b) not to proceed with the proposal to change the placename of the place concerned.

(8) A ballot to which subsection (7) applies shall be in secret and shall be conducted in accordance with regulations made by the Minister.

(9) (a) Subject to subsection (3) of section 192, if a majority of the votes cast at a ballot held pursuant to a decision under subsection (7) is in favour of the proposed new placename concerned the Cathaoirligh of the local authorities concerned shall jointly declare that, from such date (determined in accordance with paragraph (b)) as is specified in the declaration, that proposed new placename shall become and be the placename in respect of the place concerned.

(b) Where the Cathaoirligh of the local authorities concerned make a declaration under this subsection, the placename specified in the declaration shall—

(i) if the declaration is made not less than 3 months before the 1st day of January next following the declaration, become and be the placename in respect of the place concerned from the said 1st day of January, or

(ii) in any other case, become and be the placename in respect of the place concerned from the first anniversary of the said 1st day of January.

(c) Every declaration under this subsection shall be published in such manner as may be prescribed by regulations made by the Minister and shall be notified in writing to such persons, or persons belonging to such class of person, as may be so prescribed.

(d) Every declaration under this subsection shall be published in *Iris Oifigiúil*, as soon as may be after its making.

191.—(1) The townland, civil parish, electoral division and nonmunicipal town that, immediately before the commencement of this section, was known (pursuant to the Order of 2004) as An Daingean shall, from such commencement, be known, in the Irish language, as Daingean Uí Chúis and, in the English language, as Dingle.

(2) The Order of 2004 is amended by the deletion—

(a) of the text in columns (1) and (2) of Caibidil 1 of Roinn A of Cuid 4 at reference number 171,

(b) of the text in columns (1) and (2) of Caibidil 2 of Roinn A of Cuid 4 at reference number 4, and

(c) of the text in columns (1) and (2) of Caibidil 4 of Roinn A of Cuid 4 at reference number 11.

(3) In this section ‘Order of 2004’ means the An t-Ordú Logainmneacha (Ceantair Ghaeltachta) 2004 (S.I. No. 872 of 2004).

192.—(1) The consideration of submissions received under this Part shall be a reserved function.

(2) A local authority shall, in adopting a proposal under section 189 or 190 have regard to local traditions.

(3) (a) If a majority of the votes cast at a ballot held pursuant to a decision under subsection (7) of section 189 or subsection (7) of section 190 in relation to a place in a Gaeltacht area is in favour of the proposed new placename concerned, the Minister for Arts, Heritage and Gaeltacht Affairs shall make an order declaring that, from such date (determined in accordance with paragraph (b)) as is specified in the order, that proposed new placename shall become and be the placename in respect of the place concerned.

[Deputy Phil Hogan.]

(b) Where the Minister for Arts, Heritage and Gaeltacht Affairs makes an order under this subsection, the placename to which the declaration in the order relates shall—

(i) if the order is made not less than 3 months before the 1st day of January next following the order, become and be the placename of the place concerned from the said 1st day of January, or

(ii) in any other case, become and be the placename of the place concerned from the first anniversary of the said 1st day of January.

(c) Every order under this subsection shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House sits after the order is laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

(4) Where the Minister for Arts, Heritage and Gaeltacht Affairs makes an order under subsection (3), any provision of an order made under section 32 of the Official Languages Act 2003 in force immediately before the making of the first-mentioned order shall stand revoked in so far only as it conflicts with the firstmentioned order.

(5) (a) The Minister may make regulations for the purposes of this Part.

(b) Without prejudice to the generality of paragraph (a), regulations under that paragraph may make provision in relation to the bearing of the costs incurred by local authorities in the performance of their functions under section 190 or as a consequence of the substitution of a placename under that section.

(6) In this section ‘Gaeltacht area’ has the same meaning as it has in the Official Languages Act 2003.

193.—A local authority may cause the placename of a street or other place to be displayed on a conspicuous part of any building, structure or land located on that street or at that place.

194.—(1) Where a declaration under section 189 or 190 is made in respect of a place—

(a) references in any enactment, instrument or other document to the placename of that place applicable immediately before the date specified in the declaration in accordance with subsection (9) of section 189 or subsection (9) of section 190, as the case may be, shall, from that date, be construed as references to the placename specified in that declaration, and

(b) references in any proceedings (civil or criminal) pending immediately before that date to the placename firstmentioned in paragraph (a) shall, from that date, be construed as references to the placename secondmentioned in that paragraph.

(2) Where an order under section 192 is made in respect of a place—

(a) references in any enactment, instrument or other document to the placename of that place applicable immediately before the date specified in the order in accordance with subsection (3) of that section shall, from that date, be construed as references to the placename specified in that order, and

(b) references in any proceedings (civil or criminal) pending immediately before that date to the placename firstmentioned in paragraph (a) shall, from that date, be construed as references to the placename secondmentioned in that paragraph.

(3) (a) References in any enactment, instrument or other document to An Daingean shall, from the commencement of section 191, be construed as references to Daingean Uí Chúis.

(b) References in any proceedings (civil or criminal) pending immediately before the commencement of section 191 to An Daingean shall, from such commencement, be construed as references to Daingean Uí Chúis.”.”.

As I outlined in the debate on the instruction motion, amendment No. 45 substitutes a revised and updated Part 18 for the existing Part 18 of the Local Government Act 2001. The amendment also seeks to resolve the long-running controversy over the name of the town Dingle or An Daingean by providing that the name of the town in the Irish language shall be “Daingean Uí Chúis” and in the English language shall be “Dingle”.

Amendment No. 46 is related to amendment No. 45. It updates the reference in section 32 of the Official Languages Act 2003 to the new Part 18 provisions as inserted by amendment No. 45. With regard to amendment No. 46, section 32 of the Official Languages Act 2003 provides that the Minister for Arts, Heritage and the Gaeltacht may issue a placenames order declaring the Irish language version of a placename specified in the order. Section 32(2) provides that the Minister shall not make such a declaration for a place in the Gaeltacht in respect of which a declaration under Part 18 of the Local Government Act 2001 is in place. The amendment proposed to subsection (2) simply updates the reference to the new Part 18 provisions as inserted by the previous amendment.

**Deputy Brendan Griffin:** I welcome amendments Nos. 45 and 46 which will, in effect, restore the bilingual placename of Dingle-Daingean Uí Chúis. This is a very long-running controversy in west Kerry and there was really no need for it. It has cost the Exchequer much money but the people of Kerry South, and particularly muintir Chorca Dhuibhne, are very grateful to the Minister, Deputy Hogan, for acting so swiftly on this matter to ensure these amendments would be brought before the House. I hope the bilingual name will be restored. This has been ongoing for many years and the people of Dingle voted democratically to have the bilingual name of their town back in 2006. Unfortunately, it has taken this long for it to happen but the people of Dingle are very grateful to the Minister. I was there on Saturday and met many people in the town. Most were asking about this issue and were glad to hear that it was progressing. I thank the people of the town for their persistence in the matter, particularly my colleague, councillor Seámas Cosáil Fitzgerald, who initiated the process of having the plebiscite in Dingle and who has driven this issue over recent years. He has given much time and effort to the matter.

It will have a practical effect. As a resident of the Dingle Peninsula I have met many tourists seeking directions to Dingle because the name has been removed from signposts in Kerry. At least the name of Dingle will return to signposts, which is a very welcome measure. The town is a world-renowned brand name, but unfortunately when tourists see “An Daingean” on a signpost, they do not know it refers to Dingle. The name will be on maps and signposts, which is very important for the local tourist industry which needs every bit of help now.

This is a victory for democracy and the people who spoke at the ballot box a number of years ago are finally having their wishes recognised and implemented by the Government. I welcome that.

**Deputy Peter Mathews:** I congratulate Deputy Griffin on his elegant contribution which makes so much sense.

Amendment agreed to.

**Deputy Phil Hogan:** I move amendment No. 46:

In page 9, after line 27 to insert the following:

13.—Section 32 of the Official Languages Act 2003 is amended by the substitution of the following subsection for subsection (2):

“(2) The Minister shall not make an order under this section in respect of a place to which an order under subsection (3) of section 192 (inserted by *section 12\** of the *Environment (Miscellaneous Provisions) Act 2011*) applies.”.”.

Amendment agreed to.

Bill reported with amendments.

Bill, as amended, received for final consideration.

Question put: “That the Bill do now pass.”

The Dáil divided: Tá, 88; Níl, 18.

Tá

Breen, Pat.  
 Broughan, Thomas P.  
 Butler, Ray.  
 Buttimer, Jerry.  
 Byrne, Catherine.  
 Byrne, Eric.  
 Calleary, Dara.  
 Cannon, Ciarán.  
 Carey, Joe.  
 Coffey, Paudie.  
 Conlan, Seán.  
 Connaughton, Paul J.  
 Coonan, Noel.  
 Corcoran Kennedy, Marcella.  
 Costello, Joe.  
 Cowen, Barry.  
 Creed, Michael.  
 Daly, Jim.  
 Deasy, John.  
 Deenihan, Jimmy.  
 Deering, Pat.  
 Doherty, Regina.  
 Dowds, Robert.  
 Durkan, Bernard J.  
 English, Damien.  
 Farrell, Alan.  
 Feighan, Frank.  
 Ferris, Anne.  
 Fitzgerald, Frances.  
 Fitzpatrick, Peter.  
 Flanagan, Charles.  
 Flanagan, Terence.  
 Gilmore, Eamon.  
 Griffin, Brendan.  
 Harrington, Noel.

Heydon, Martin.  
 Hogan, Phil.  
 Humphreys, Heather.  
 Humphreys, Kevin.  
 Keating, Derek.  
 Keaveney, Colm.  
 Kehoe, Paul.  
 Kelleher, Billy.  
 Kenny, Seán.  
 Kirk, Seamus.  
 Kitt, Michael P.  
 Kyne, Seán.  
 Lawlor, Anthony.  
 Lyons, John.  
 McConalogue, Charlie.  
 McEntee, Shane.  
 McFadden, Nicky.  
 Maloney, Eamonn.  
 Mathews, Peter.  
 Mitchell O'Connor, Mary.  
 Mulherin, Michelle.  
 Murphy, Dara.  
 Murphy, Eoghan.  
 Nash, Gerald.  
 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.  
 O'Sullivan, Jan.



Tá—*continued*

Penrose, Willie.  
Phelan, Ann.  
Phelan, John Paul.  
Rabbitte, Pat.  
Reilly, James.  
Ring, Michael.  
Ryan, Brendan.  
Shatter, Alan.  
Smith, Brendan.

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

Níl

Colreavy, Michael.  
Crowe, Seán.  
Ellis, Dessie.  
Flanagan, Luke ‘Ming’.  
Healy, Seamus.  
Higgins, Joe.  
Mac Lochlainn, Pádraig.  
McDonald, Mary Lou.  
McGrath, Finian.

McLellan, Sandra.  
Murphy, Catherine.  
Ó Caoláin, Caoimhghín.  
Ó Snodaigh, Aengus.  
O’Sullivan, Maureen.  
Ross, Shane.  
Stanley, Brian.  
Tóibín, Peadar.  
Wallace, Mick.

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

Question declared carried.

### **Child Care (Amendment) Bill 2009: From the Seanad**

The Dáil went into Committee to consider amendments from the Seanad.

**An Leas-Cheann Comhairle:** Amendments Nos. 1 to 4, inclusive, are related and will be discussed together.

Seanad amendment No. 1:

Section 13: In page 63, to delete lines 23 to 41 and substitute the following:

“(c) by inserting the following subsections after subsection (2):

“2A) Where the court makes an appointment under subsection (1) (as amended by the *Child Care (Amendment) Act 2011*), without prejudice to the generality of subsection (1), the court shall give directions relating to the service of documents for the proceedings concerned on the guardian *ad litem*.

(2B) A guardian *ad litem* shall for the purpose of the proceedings for which he or she is appointed promote the best interests of the child concerned and convey the views of that child to the court, in so far as is practicable, having regard to the age and understanding of the child.”.

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Amendments Nos. 1 to 4, inclusive, which are being discussed together relate to section 13 of the Bill. They were brought forward by me in Seanad Éireann last night in accordance with a commitment I gave in Dáil Éireann on Thursday, 14 July on Report Stage. They amend section 13 which amends

[Deputy Frances Fitzgerald.]

section 26 of the Child Care Act 1991 and take cognisance of the amendment tabled by Deputy Ó Caoláin on Report Stage. They are also consistent with a proposed amendment tabled by Fine Gael and the Labour Party during the reading of the Bill in the previous Dáil. Their effect is to take away the discretion of the judge as to whether a guardian *ad litem* is legally represented and provide that a guardian *ad litem* may instruct a solicitor and, having regard to the circumstance of the case, counsel. The effect is to continue the practice for a guardian *ad litem* to be in a position to appoint legal representatives in care cases, including special care cases. The judge has discretion in the appointment of a guardian *ad litem* in proceedings. I hope the Deputies are in agreement with the amendments.

**Deputy Caoimhghín Ó Caoláin:** First, I acknowledge, as I would always do, that the Minister has been as good as her word and that the matter has been progressed through the Seanad as she indicated. I welcome the proposed amendments before final conclusion of the passage of the Child Care (Amendment) Bill 2009. Certainly, Seanad amendment No. 2 mirrors well the wording of amendment No. 13 in my name in the course of our Report Stage deliberations. I fully appreciate that the key point on the role of a guardian *ad litem* concerns the wherewithal to appoint and “instruct”. On the use of the word “instruct”, it is critical that there be independence on the part of the guardian *ad litem* dealing directly with the interests of the child as against those of the court. “Instructing” is a word about which there would have been concern.

Perhaps the Minister might elaborate a little on Seanad amendment No. 3 and give us, if she can, an example as regards the wording: “The court may, on the application to it of the Health Service Executive, order any other party to the proceedings in question to pay to the Health Service Executive any costs or expenses payable by the Health Service Executive under subsection (2C)”. With everything else with which I am wrestling, I have not been able to translate this into actuality. If such an example could be given, we would perhaps be in a position to fully appreciate the Minister’s intent. It is perhaps an outworking of Seanad amendments Nos. 1 and 2. I have no objection to it in principle, but I would like to understand it, as I understand the Minister’s intent in Seanad amendments Nos. 1 and 2 and, subsequently, Seanad amendment No. 4.

I record my appreciation of the Minister’s efforts in recent days on the Bill. While I remain strongly of the view that the Bill is deficient because it fails to statutorily enshrine the right to aftercare, nevertheless I recognise the other advances made within the legislation.

**Deputy Frances Fitzgerald:** I welcome the comments by the Deputy on the changes made in the Bill. On his query on the section, it is not something we would expect to arise often, but it could involve, for example, a parent or guardian who might be making a contribution to expenses.

**Deputy Caoimhghín Ó Caoláin:** I appreciate this is probably being protective in terms of instances that might arise in the future and I am not shook up over it.

I utilise the opportunity, with the Leas-Cheann Comhairle’s approval, to encourage the Minister in some concluding remarks. In an hour or two we will finish up for the summer recess. The Minister has addressed this particular need with considerable alacrity and the speed that it deserved, for which I commend her. However, I appeal to her, as, I think, my colleague, Deputy McDonald, may have done earlier this morning to utilise the summer recess in order that when we come back in September for the autumn session the long identified needs for legislation in the area of children’s rights will have been addressed with specific dates for publication. This is critically important. In the current schedule for much of the legislation that focuses on children’s rights and needs it is not possible to indicate the notation. However, I

have every confidence in the Minister. I speak from a point of view which I hope is shared where the intent is to move with all speed to bring forward the necessary legislation to which we all have collectively contributed and for which we have pressed for a long period. Specifically, I speak about the establishment of the child welfare and protection agency, the children Bill, the children first Bill — the Ryan report implementation Bill — and, of course, the national vetting bureau Bill. These are absolutely essential in providing for the Children First guidelines in legislation. I urge the Minister to give a brief response before we conclude. I hope she will hit the ground running in September in the case of all this legislation, mindful of the terrible backdrop to the conclusion of this Dáil session — the Cloyne report — and the myriad concerns about other issues, including those within the ambit of the State and State agencies. I am also particularly mindful of the terrible case in Donegal, the full extent of which, perhaps, is not yet realised.

**Deputy Charlie McConalogue:** I also take the opportunity to wish the Minister for Children and Youth Affairs well during the summer recess and hope, as Deputy Ó Caoláin stated, that she will hit the ground running in the September term. It is important to point out on this Bill that the parties in government have reneged on the commitment given while in opposition to place the provision of aftercare on a statutory footing. Deputy Ó Caoláin re-tabled Fine Gael's amendment, but the new Government voted it down. It is unfortunate to see such a discrepancy between a party's policy in opposition and in government.

We have had a momentous couple of weeks in this brief, with the publication of the Cloyne report and the various issues arising from it. On the implementation of the report and her plans in respect of mandatory reporting, I urge the Minister to undertake an assessment during the summer period of the resource needed in that regard. That is of critical importance. That has been the flaw in what we have seen in the past week. There will be resource implications and, without the accompanying resources, good intentions may well not be brought into reality.

**Deputy Frances Fitzgerald:** I thank Deputies for their comments. I have referred the Donegal case to the HSE group responsible for the review of serious incidents to carry out a review of the circumstances there. I hope to have a report from the group in the near future. Certainly, we must understand precisely what happened, if other interventions could have been made and we must analyse exactly the role of the various agencies and people involved.

I take the point about the priority child protection legislation should have. I assure the House that child protection legislation is a high priority for the Government, as evidenced by the establishment of the Department. It is a sign that we intend to put these issues at the heart of Government. I have already given a commitment to the House that the wording of the referendum will be available in the autumn term and that we will then proceed with the Bill and the required legislation to ensure that we can hold a referendum in the new year.

I thank Deputies for their contribution during the passage of this important Bill. The main objective of the Child Care (Amendment) Bill 2009 is to safeguard the best interests of children in need of special care. The processes enshrined in the Bill will support the achievement of this outcome. Special care is a last resort but it is an important part of child care and it meets the express needs of the small number of children in need of such care when other forms of residential or community care are considered to be unsuitable. This is a small group of children but we must have high standards and be vigilant with regard to the experience of these children. This type of care involves complex constitutional matters and it is appropriate that it should continue to be presented to and determined by the High Court. This approach will allow for a consistent, well-managed structure, presentation and consideration of applications for special care orders.

[Deputy Frances Fitzgerald.]

One unique aspect of the Bill includes specific provisions for when a child may be in need of special care services and may be charged or convicted of a criminal offence. The provisions clarify when the HSE may apply for a special care order or continue to care for a child under such an order. In summary, where a child is in need of special care, the HSE is in a position to apply to the High Court to allow it to provide that care to the child. In addition, the care requirements of the child who is the subject of a special care order will be kept under the supervision of the High Court. This is very important. The High Court will carry out a review of each four week period for which a special care order has effect. There is careful monitoring of the use of these special care orders, as there should be.

I thank Deputies for their contributions and comments on the priority which child care and child protection and welfare legislation should receive. I look forward to their support when we present the legislation.

Seanad amendment agreed to.

Seanad amendment No. 2:

Section 13: In page 64, to delete lines 1 to 17 and substitute the following:

“(a) the guardian *ad litem* concerned may instruct a solicitor to represent him or her in respect of those proceedings and, if necessary, having regard to the circumstances of the case, may instruct counsel in respect of those proceedings, and

(b) where a guardian *ad litem* instructs a solicitor or counsel or both pursuant to paragraph (a), the costs and expenses reasonably incurred for that purpose shall be paid by the Health Service Executive and the Health Service Executive may apply to the court to have the amount of any such costs or expenses measured or taxed.”,

Seanad amendment agreed to.

Seanad amendment No. 3:

Section 13: In page 64, to delete lines 19 to 25 and substitute the following:

“(3A) The court may, on the application to it of the Health Service Executive, order any other party to the proceedings in question to pay to the Health Service Executive any costs or expenses payable by the Health Service Executive under subsection (2C).”, and”.

Seanad amendment agreed to.

Seanad amendment No. 4:

Section 13: In page 64, to delete lines 26 to 28.

Seanad amendment agreed to.

Seanad amendments reported.

## Central Bank and Credit Institutions (Resolution) (No. 2) Bill 2011: Second Stage (Resumed)

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

**An Leas-Cheann Comhairle:** I understand Deputy Clare Daly was in possession. Some 17 minutes remain in this slot. I call Deputy Catherine Murphy, who will share time with Deputy Wallace, Deputy Stephen Donnelly and Deputy Maureen O’Sullivan.

**Deputy Catherine Murphy:** The Bill introduces a framework for the resolution of distressed institutions. While I welcome some of the provisions, which are long overdue and which could help to ease the burden created by the financial crisis or collapse in 2008, what we really need is a change in culture and political orientation that will prevent credit institutions from ever reaching the stage of catastrophic distress again.

We must put several basic questions. How did the banks destroy the economy? How was this allowed to happen? Why were banks allowed to grow to the extent that they posed such a threat to the entire society? The Bill does nothing to answer these questions or to address the fundamental structural problems in a capitalist system that has allowed the banks to grow to the point where they threatened the foundations of our society. The Bill has nothing to say about why we should allow financial institutions to hold such vast power over ordinary people. It says nothing about why the markets in which the banks operate should hold such incredible power. It says nothing about why ordinary people have no say over these money markets. It says nothing about the fact that the money markets, as has been demonstrated to dramatic effect in the past three years, are remarkably fragile and reliant on the most fragile of all human traits, that is, confidence.

The past 30 years have been marked by a belief that the markets should be treated as some type of untouchable authority. At times, this belief resembled a kind of religious fanaticism. The idea that markets could solve all problems and create wealth in a sustainable way from complex, risk-taking behaviours was held in an unquestioning manner. This religious faith, or what masquerades for it in much in much the same way as the faith of our religious institutions, has been repaid in the most appalling manner and capitalism has been shown to be a failure in this respect.

There is a great difference between money and wealth. We are aware that a great deal of money was sloshing around but that did not deliver wealth that could be shared. Were we to learn one thing from the economic catastrophe, which is a catastrophe at societal level, it is that the money markets are not the rational, efficient mechanisms about which we were told. On the contrary, we are all well aware now that markets are an undemocratic forum for faceless financiers acting out a herd instinct with short-term profit motives.

Money markets are the opposite of a rational mechanism for deciding how society’s wealth should be created, distributed and controlled. In the past 30 years we have seen a dramatic increase in the size, power and influence of financial institutions. When historians write about the last decade of the 20th century and the first decade of the 21st century they will surely describe it as the era of the global financial institution, one that is un-elected, undemocratic and supremely powerful. How was this allowed to happen? The issue we are debating today tells us nothing in this regard or about how to address the issue.

Another striking feature of the debate on financial institutions in recent years is the question of banks being too big to fail. What does this really mean? We have two big banks at the moment and I cannot understand why these banks will not be too big to fail in future because it is argued that they will be our systemic banks.

[Deputy Catherine Murphy.]

I opposed the Maastricht treaty. I knocked on doors because I was concerned that the convergence criteria would be an impossibility were we to get into difficulties in future. I met those who would pay the price for this because they relied on the State for services and income. I have not had the chance to listen to the radio today but I hope the Minister will give us some positive news from that point of view. I am sick to death of waking up and listening to Moody's and Standard & Poor's in regard to financial products, including sub-prime products and all the rest, which are not actually products at all. The Bill deals with a small area but far more is needed in terms of defining the kind of economic system that can support the creation of real wealth and create wealth in such a way that it can be distributed more equally within our society.

**Deputy Mick Wallace:** I have had more experience with banks than I wanted to have. I am still dealing with four different banks and have had positive and negative experiences with them. In my 20 years dealing with them, I never found them easy to deal with but they have moved the goalposts a good bit in the past couple of years and it is a very different world. While I admit I took risks and they took risks, the attitude they have taken now is very aggressive and it is as if I was the only one who took risks. The notion that we would work together has very much disappeared because although we worked together for a long time, that is obviously history now and they have taken a different approach.

Once upon a time in this country we saw the banks as utilities that worked hand in hand with the people, the State, small and medium size businesses and large businesses — they were definitely seen as utilities. That came to an end in recent years as the high street bank we knew became partially an investment bank as well. It appeared as if they were not making the decisions any longer, and the markets and the ratings agencies probably had more sway than those making decisions at grassroots level in the banks in any town or city in the country.

There was much talk in 2008 and 2009 about laying down new ground rules for how banks should behave. One of the areas was of course in regard to bonus schemes. It was interesting to read this week in the *Financial Times* that the British banks paid out Stg£14 billion in bonuses last year. While they make up 14% of the working population of Britain, they paid out 40% of the bonuses, so very little seems to have changed and they seem to have recovered well from the hiccup. Now that the taxpayers of states all over the planet have come to their rescue, it seems as if it will be business as usual again for the banking institutions.

The State must be very strict in how it monitors banking behaviour. We cannot depend on banks to behave in an ethical FÁShion or expect them to behave as if they are a utility that will serve the people. While I have no problem with banks making money, there must be some ethics involved and some sense of responsibility. When they lend money to people, they cannot just throw them to wind when it suits them. Unfortunately, that is what is happening at present.

Whether the Government feels it can only do what is being done at an international level, I do not know. However, it would be great if our country adopted a very strict policy on how banks work. We know that some countries, such as Canada, had a much tighter hold on banking behaviour than many others. We can learn something from them. We have certainly learned that we cannot leave the banks to their own devices to work unfettered. If the State is going to come to their rescue when problems arise, surely the State has the power to call the shots at all times with the banks.

**Deputy Maureen O'Sullivan:** Yesterday the Taoiseach used the words “dysfunction”, “disconnection”, “elitism” and “narcissism” about the church. Those words could equally be applied to our banking institutions. We cannot but be struck by the fact that at least apologies

are coming from certain quarters in the church but there has been a lack of similar apologies from the banking authorities.

Once again, we are in a situation we should not be in or at least we should not be in it to the extent we are. While I accept outside influences did play a significant role, our banking crisis was essentially self-made through the greed of the bank authorities in that they allowed themselves become over-exposed to property. There was poor governance, appalling management or mismanagement, not to mention the cosy relationship between the banks and certain individuals. The Financial Regulator's role was extremely inadequate and the relevant people in authority in this House and in the Department of Finance were not up to the mark, regardless of whether they were misinformed, not informed or chose not to see. The solution chosen, namely, save the banks at all costs, led to the extensive blanket bank guarantee.

The point appears to be that if a systematic resolution framework had been in place we would not now be in the dire straits we are in, or at least not to that extent. It was borne out in both the Honohan and Nyberg reports that if a resulting mechanism had been in place, public losses would have been reduced.

I note the various purposes behind the Bill, including an effective and efficient resolution regime for failing or likely to fail credit institutions, and that the Exchequer will be protected. I accept we need to protect the interests of depositors, we need banks and we need financial stability. The Bill will give the Central Bank the necessary powers for these purposes but the Central Bank has not exactly covered itself in glory in the past. Banking authorities must be held accountable for their actions and the action is needed before a bank's balance sheet is insolvent.

I understand choices have to be made and balances struck between the protection of shareholders and the protection of the public and depositors' interests. However, the protection of shareholders should not be paramount.

With regard to the "special manager", in the opinion of the Central Bank, the person chosen will have "the requisite knowledge, expertise and experience of the financial services sector to be the special manager". This will have the effect of suspending the rights and powers of shareholders and members. The special manager has extensive powers to remove people in employment and those in positions, so those people who will be special managers, while they must have those considerable credentials, will also, I hope, be guided by values of honesty and truthfulness in carrying out their work.

I have been contacted by certain credit unions in my constituency. I understand a strategic review is being undertaken and that the report is overdue. It appears the credit union regulator is making decisions on credit union reform before the commission has completed its work. Credit unions have played a very important role in this country and have been the saviour of many individuals and families. There is a strong community base, particularly in disadvantaged areas, and they provided an alternative to the money lenders charging 140% interest and more, who also took social welfare books and pension books from vulnerable people who were desperate for money to pay bills or cover the cost of Christmas.

The credit unions also have a very strong voluntary element which must be acknowledged, as must the fact the members own the organisation. They are different from banks and I would not like to see the undermining of credit unions. I accept there is a need for good governance but the majority have worked well under the current governance and they play a very important role in providing credit.

It was interesting to read that from June 2009 to June 2010 those credits unions affiliated to the Irish League of Credit Unions provided €2.5 billion in loans to their members. If there are weaknesses, potential or real, they cannot be ignored, but I hope action will not be taken

[Deputy Maureen O’Sullivan.]

arbitrarily. While I know some credit unions are considering amalgamation, I hope the wishes of the credit unions can be taken into account. We need to have a balance between holding onto the traditional credit union ethos — community focused, member focused and in the best interest of the members — and not allow or facilitate a return to the money lenders, which I hear about at present in Dublin Central.

My final point concerns the need for regulation in all our institutions, including the church, the State and Departments, and the need for regulation regarding the big level operators and the big commercial interests. What appears to be happening is that families, those looking for mortgages and small businesses are being swamped by excessive regulation.

Such swamping is delaying real activity in the real economy, thereby leading to a stagnation in Irish society. Consequently, banks and lobbyists for big business are setting out to convince people that less regulation is required. I recently met representatives from small businesses who have been in business for more than 30 years, have paid all their bills to those who supply them and have paid their workers etc. However, they have been left high and dry by larger developers who had contracted them and who now are in foreign fields making more profit but are not paying their just debts in Ireland. I wonder whether the wrong people are being regulated excessively. It should be senior bankers and not the person on the street who did not trigger the problem in the first place.

**Deputy Arthur Spring:** This is a rather appropriate day to discuss this Bill. While Members have had economics for ethics, it is time they had ethics for economics. This is a good day in respect of events in Europe. My speech was written two weeks ago but now is as relevant as one written two years ago. While the issues have been tackled on a national basis, more must be done on a European basis. As for the euro’s institutional framework, insufficient fiscal disciplines were imposed by the European Union and given an absence of mechanisms to control economic imbalances, we ended up in a position in which our country, as well as several others, could not sustain the level of debt imposed upon them. This was largely due to the banks.

The NTMA produced a report this morning on its function within the banking system and mentions the IMF having a significant function within that. Unfortunately, some of our economic sovereignty has been lost for two reasons, namely, the imprudence of the banks, combined with a lack of foresight on the part of the Government. In common with many previous speakers, I have worked in financial institutions and as a recent speaker mentioned, there was a completely inappropriate culture involving financial recklessness and an inability to perceive what was right for the country.

Financial institutions are licensed by the Government because of their significance in society and because of what they can do to society. They are necessary and provide much that is good. For most people, they permit access to a home by enabling one to get started on a property

ladder or to get on with daily modern lives through the purchase of a car.

*5 o’clock* However, greed and short-sightedness became the culture, as well as a complete inability to philosophise what it is an institution or a society should be trying to achieve. It was akin to an adolescent period for the country and we have learnt from costly mistakes. However, today probably will be highly significant. Heretofore, we have had a currency that had multiple central banks. I completely disagree with this and am on record as having stated the euro was ill-conceived to begin with. I should clarify I agree with the concept of the euro but not the manner in which it was established. I was lucky to have studied economics in central Europe in 1999 and 2000 and I can recall one of my professors telling me to question Ireland’s reasons for entering the euro. The idea that a currency could have multiple



central banks without having an overriding fiscal policy meant, for example, that loan to deposit ratios differed. If one put €10 on deposit in a German bank, it might have lent out €12, whereas in Ireland, a bank might have lent out €22 on foot of a €10 deposit. Consequently, using the same currency without having influence over one's interest rates, duration of credit etc., meant we had a completely separate financial outlook on our economy than did the central bank of the currency, which is inappropriate. I believe steps will be made towards addressing this issue in the future.

This Bill entails taking steps locally. I am convinced the regulator here, that is, the Central Bank of Ireland, did not know what was its role for some time. I have worked on reports for institutions that were handed to the Central Bank of Ireland and I assure Members the level of detail contained therein was comprehensive and nothing was missing. However, the philosophy as to what it was trying to achieve was wrong. Moreover, there was a lack of knowledge within the Department of Finance, as well as a culture within the country whereby current income was being used for current expenditure. One does not even run a house like that, let alone a country. It is like winning the lottery and using it on day-to-day spending. The whole property idea was ill-conceived and is what drove the banks off the edge.

However, I refer to today's developments. I am not revealing any information because I do not have it — the Minister will know a great deal more in this regard — but some draft documents on what is happening in Brussels have appeared on the Internet. If they are to be believed, it appears as though Ireland is in a position to get significant interest rate cuts, which the Government stated it would do. Obviously, this was not achieved in isolation and there has been a pan-European strategy in this regard. I have held meetings with many European social democrats and am aware the Christian Democrats have done likewise. There have been meetings with people from Germany, Scandinavia, Britain, France etc. and we have conveyed the message that our country was in real trouble, as was the currency. One only needed to pick up any financial newspaper or magazine to realise that matters were coming to a head. Moreover, we have developed friendships and have developed trust again. We are in a better position than was the case last year or indeed four months ago. In addition, as Deputy Wallace once noted, one must be able to work with one's creditors and institutions and I note the European Central Bank, ironically, is now doing what it is being told by the Commission, the Heads of Government and the IMF. They have realised they needed to protect the people because the European Union is about protecting people and is not about wealth for a small group of people. Today's events will play a significant part in allowing the project to develop because they demonstrate there is a resolve to look after what is important. It also appears as though Ireland's corporation tax will remain intact and if that is the case, it constitutes another great event.

One point I wish to highlight is that I have seen auditors enter a financial institution. However, as for the people who actually arrived at one's desk at 8 a.m. to perform audits on files that could take up six or seven boxes, for all the experience they had, the only thing they lacked were a pair of short pants. They were being paid €17 per hour, while the auditing firms were charging the time out at €200 per hour, and would return to one's desk at 11 a.m. to confirm the aforementioned files were fine. Superman would not have got through those files in three hours, never mind a bunch of trainee accountants. Consequently, the way I would describe it is that culpability lies in many places but among few people. The vast majority of people who work in financial institutions are hard-working honest people who do an honest day's work for an honest day's pay. The culture of greed existed amongst the highest elite, for whom bonuses were on a here and now basis, rather than on how banking is supposed to work. As it must take a long-term view, there should be long-term bonuses. I do not believe Members will again see in their lifetimes the reckless promotion of people who were making short-term

[Deputy Arthur Spring.]

gains for a company or institution. The reason this sector is licensed is because it is meant to be prudent at all times.

While the diplomatic offensive appears to be working, an offensive also is needed within Ireland. I note the country may secure interest rate reductions and may end up with the duration of its term loans being doubled. However, it all comes back to the point that the country is running an enormous deficit. As there will be further cuts, it is the job of both the Government and the non-Government parties to find the fairest way to impose those cuts and make Ireland viable again. It will be necessary for Ireland to take two steps back and by so doing, one must consider what one has done heretofore. In Ireland's case, we have created a mess that we will clean up. We will set about creating growth and jobs again because it is all about trying to create a standard of living and a better country for the people.

Today is a great day and the speech I prepared two weeks ago is no longer relevant. I am delighted to see the Minister in the Chamber on the last day of the session. It is not as though the Government orchestrated the last sitting day to fall on a day on which a meeting would be held in Brussels but it appears as though good news is afoot. However, the deficit must be tackled and the many Members who have ideas in this respect always should convey them. I look forward to next Tuesday, when the Taoiseach will attend a meeting of the Joint Committee on Finance, Public Expenditure and Reform, of which I am a member, when they will have an opportunity to ask him questions on what has happened heretofore.

There also are concerns regarding what banks can do to institutions of Government and this will not be allowed to happen again. While both the Central Bank and the Financial Regulator must have roles in this regard, this Bill states the European Central Bank will have a role. It will regulate, watch and have an overriding oversight on what constitutes prudent lending and what is a prudent financial institution. I am delighted by this development, as are many people throughout Europe. I believe it will lead to a better European Union and Ireland will be in a position to achieve real growth, have a correction and drive forward. Today is a highly significant day on which I am delighted the House will break up for the summer. I wish all Members a very pleasant break and I hope we will all return refreshed. I hope some Members might even take a trip to Kerry.

**An Leas-Cheann Comhairle:** Perhaps Deputy Spring might take in the Galway races on the way.

**Deputy Arthur Spring:** The golf is on in Killarney so we will be unable to go gambling. The Leas-Cheann Comhairle knows where that got us.

**Deputy Stephen Donnelly:** The Bill goes some way towards ensuring the required legislative process is in place to enable effective action to be taken if a bank is threatening to fail. However, I do not believe the correct culture is in place. Deputy Spring highlighted in his contribution the culture which led to our banking failures. We still have a way to go before we can ensure that banks are far less likely to fail and that if they fail, the resolution process at the heart of this Bill will produce the best possible outcome for the people.

I welcome the Bill and had this legislation been in place in 2008, we might have avoided some of the horrendous decisions which have to be made. Any resolution process to deal with banks which are about to fail must be timely, transparent, effective and fair. It must allow for reasonable due process. The ECB is broadly happy with the timeliness and effectiveness of the Bill but it has expressed some reservations about fairness, some due process issues and the transparency of the process. Specifically, the ECB cites the lack of time for interested parties to react. If the Minister has to take action and go to the courts to force a resolution process,

the ECB is concerned that other interested parties may not have sufficient time to represent themselves in that process. The bank is also concerned that the independence of the Central Bank of Ireland is not explicitly set out in the Bill. I put those points to the Minister for his consideration as to whether they can be included in the Bill.

My concern is how the Bill has been developed and that in-depth parliamentary investigation is not included. The Bill seems to be the product of good practice as viewed by the IMF, the World Bank, the OECD, the Bank for International Settlements and by a collection of other central banks. I agree this is a good start and the Bill is a result of the agreement with the troika.

However, I suggest that the Bill lacks a local context. The US banking resolution regime legislation and the wider financial regulations, were drafted many decades ago and were the product of parliamentary scrutiny of the banking sector. The US Congressional hearings in the 1930s probed the bankers and sought to understand the local banking sector. These hearings examined the problems of the US banking sector and also the culture of the banking sector and then drafted legislation which resulted in the Glass Steagall Act. The importance of Congress was seen in the 1980s during the Savings and Loan crisis when William Black exposed corruption and a culture of deceit and manipulation in the US banking system. I think this would resonate with many Members and with many people in Ireland. This informed the Federal Deposit Insurance Corporation, the FDIC Improvement Act and the Dodd-Frank Act which are key pieces of legislation.

The Oireachtas has not had the ability to build up a sufficiently large base of analysis and to use its understanding of the particular idiosyncrasies of Ireland and of our political, regulatory and banking cultures. I suggest it might help to strengthen the Bill further if this process were put in place in order that the relevant committee would have real investigative power to ensure the Bill not only reflects international best practice but also particular Irish idiosyncrasies. The various reports such as the Honohan, Wright and Nyberg reports have thrown some light on the problems, but only certain aspects of the problems, and these reports were also time restricted. The Nyberg report, in my view, was a grey wash, in that it blamed everyone and therefore no one was to blame. I suggest it cannot be used to deal specifically with what should be changed or safeguarded in legislation.

The famous US Justice Louis Brandeis said that sunshine is the best disinfectant. The power of the FDIC in the United States is the power of the transparency of its actions and its structure. The FDIC website describes in detail the procedures it follows in the winding-up of banks and how depositors are protected. This form of transparency within our process would not only make for a better process, it would give the public and legislators some much needed faith in the process.

There are concerns about the independence of the Central Bank and the ECB commented that it would like to see a specific provision in the Bill. I regard this Bill as a good beginning and some of the comments from the ECB would add to the power of the Bill. Some deeper parliamentary investigation and input to tailor it specifically to Ireland would be very welcome.

Deputy Spring clearly spoke with first-hand experience of some of the problems in the culture of banking regulation. The culture of regulation needs to be improved in five areas which are the political culture, the regulatory culture, the culture of the Central Bank, the culture of the Department of Finance and the culture of the banks.

As regards the political culture, we all know the former Taoiseach played golf with the former chief executive of one of the biggest offenders, Anglo Irish Bank. The chair of the incumbent political party had become the head of the banking federation and there had been an extraordinary capture of the Government by the interested parties. I have no doubt this is

[Deputy Stephen Donnelly.]

something the Minister and his colleagues watched from this side of the House for many years. I hope this will all be put to bed.

As regards the regulatory culture, I refer to Deputy Ross's book, *The Bankers*, which gives an extraordinary account of a dinner which took place in November 2008. The dinner was hosted by the senior management of the banks for the recently retired regulator and attended by the new regulator. This is a small number of weeks after the banks convinced — I say hoodwinked — the Government into providing a guarantee bigger than our GDP. In a restaurant not far from this Chamber, the bankers were entertaining the regulators. I have worked in the United States and in the United Kingdom and in those countries the regulator would be fired immediately if he or she were to have dinner with senior bankers. This is an extraordinary situation and I hope we will not see this happen again.

The issues to do with the Central Bank include the tradition whereby the Secretary General of the Department of Finance subsequently became the Governor of the Central Bank. Being Secretary General of the Department of Finance does not equip someone to become Governor of the Central Bank and it was an extraordinary and ultimately damaging tradition. A second issue for the Central Bank is one of expertise. The Wright report stated that 39 of 542 staff of the bank were trained to masters degree or higher in economics, which is 7%. In Canada it is 60% and in the Netherlands it is 40%. While I do not know whether it is within the remit of the Minister, this issue needs to be addressed urgently. It would be great to see some serious up-skilling in order that we can at least get on par with places like Canada, which, of course, avoided the banking collapse in which we find ourselves.

Another issue is the culture of the Department of Finance itself. On this there is an issue of expertise. The late Dr. Garret FitzGerald cited that in 2009 the Department of Finance had only three members of staff with PhD qualifications and only one of these was working in macroeconomics. I have worked with public servants, as have most if not all Deputies in the House. My singular experience here and abroad is of people who want to do the very best and have a genuinely patriotic outlook. However, they also need the education and training. That may be a combination of providing programmes where people in the Department can be trained up and deployed accordingly, and hiring in more capability. Having one person with a PhD working on macroeconomics in 2009, if Dr. FitzGerald's assertion is correct, is extraordinary and deeply worrying. I hope something can be done about that.

Obviously the culture within the banks largely led to the situation in which we find ourselves. It has been spoken about and rehearsed many times. I am concerned that many of the senior teams are still in place. I know the Minister has told the House that it is his intention to rectify that. I reiterate my concern that much of the cultural legacy will remain until the senior teams are refreshed.

**Deputy Arthur Spring:** Most of them have been removed.

**Deputy Stephen Donnelly:** I encourage the Minister to continue with that process. I welcome the Bill and hope the Minister will take on the various suggestions I have made.

**Deputy Dara Murphy:** I wish to share time with Deputy Seán Kenny.

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

**Deputy Dara Murphy:** I welcome the Bill. As Members will be aware, the Bill replaces the much criticised Credit Institutions (Stabilisation) Act passed in December. It is worth noting the amount of time the Government has spent undoing much of the emergency work and non-

work of the previous Government. I commend the Minister for Finance on the work he has done in such a short period of time.

Clearly these proposals will allow the Central Bank to deal with lenders who fail or are likely to fail. The history lessons are there for all of us and it is important we continue to work towards putting in place a banking structure that will give confidence back to our people. The Governor of the Central Bank rather than the Minister will trigger this new regime. It is very important we allow the Central Bank to deal quickly and effectively when problems arise because this clearly has not happened in the past.

The Bill included measures in line with evolving EU principles on crisis resolution and in the light of discussions that will take place with external partners. We must continue to work very hard to co-ordinate our efforts with our European partners. As Deputy Spring correctly said, it is most opportune that we are here working on this Bill at this time when the Taoiseach is discussing our interest rate and other issues pertaining to the country. We all wish him the very best.

In addition to banks, the powers of the Bill will apply to building societies and credit unions. It is important to acknowledge that the credit union commission has been established. The credit unions are doing remarkable work and have done so throughout the banking crisis. The Bill provides for the establishment of a bridge bank to temporarily hold some of the institutions' assets and liabilities. The credit institutions resolution fund is to be established to provide a source of funding for the resolution of financial instability or to prevent the imminent threat of financial instability of an authorised credit institution.

It is crucial we continue to work towards a fairer sharing of the cost of restructuring Irish banks. We must work towards a more transparent assessment of the capital needs of Irish banks, and Irish bankers need to continue to shrink their balance sheets to reduce their excessive dependence on volatile non-deposit funding sources which has been the case to date. Most importantly we must continue to work to restore confidence in the Irish banking sector to get our banks lending to businesses, which we hope will flourish and consequently employ people who will pay taxes and thereby get the country back up and running. It is a rather simple economic model but it is a very clear path towards the country's recovery.

We need to rebuild a competitive, well-managed but also privately owned banking system. In that regard it is very welcome that for the first time in many years we are putting the Government back in charge of how our banking system is structured. We need to work to promote new leadership and management in our banks. As has been said, we have many good people working within the banking sector but the leadership they received has let down many people in the State, both those working for the banks and people who deal with the banks in many key areas. Banks should squeeze their costs before their customers. Even of late we have seen far too many examples of senior people in the banking sector continue to take perks that should be discontinued in the current climate. Once they are made stronger, we must work as a matter of urgency to return the viable banks into private ownership which will foster greater competition in the marketplace. Great work is already being done in shutting down dead banks.

I commend the Minister on the legislation and wish him the best of luck in the future. As has been said on many occasions, the Government is at the start of a journey. In its first term since its election a few months ago it has done some very good work. I join Deputy Spring in wishing everyone a good summer. I do not need to sell my county of Cork as hard as the Kerry people have to sell theirs, but they are of course all welcome and we might see Deputy Spring and others from his county in September again in Croke Park.

**Deputy Arthur Spring:** We will sort them out then.

**Deputy Seán Kenny:** I welcome today's indications of very good news which will provide greater sustainability for the Irish economy. The Central Bank and Credit Institutions (Resolution) Bill 2011 is one of the requirements of the EU and IMF programme of financial support for Ireland. The measures in the Bill include what is commonly known as a special resolution regime, SRR. This new legislation originates under the EU and IMF bailout that was negotiated under the previous Fianna Fáil and Green Party Government. While in some ways it is a case of locking the stable door after the horse has bolted, a special resolution regime is an important part of any modern economy's financial regulation. That is one reason the Government is proceeding with it. It is telling that in its 14 years of government, Fianna Fáil never legislated for one. Another reason is that, under the memorandum of understanding agreed by the Fianna Fáil-led Government with the EU-IMF, we must proceed with legislation.

A special resolution regime, SRR, is intended to allow for a more orderly resolution of failing banks and other financial institutions, including building societies and credit unions. In particular, credit unions have been hamstrung by the bailout regulations. The normal winding up procedures available to companies under the Companies Acts are inadequate when it comes to institutions of this kind. In the US where more than 140 banks have failed in the past year or so, the equivalent legislation has been much utilised. Britain hurriedly enacted measures in 2009 in the wake of the Northern Rock failure. Similar regimes are also being created at EU level.

The Bill is intended to come into effect when the interim measures in the Credit Institutions (Stabilisation) Act 2010, the CIS Act, lapse at the end of 2012. When enacted, it will give the Central Bank powers to deal with financial institutions that are failing or likely to fail. The main powers are, first, to establish so-called bridge banks to hold the assets and liabilities of failing institutions temporarily pending transfer to a third party. Second, to make a transfer order to a third party in respect of a failing institution, subject to prior notice to the institution concerned and approval of the order by the High Court. If there is an imminent threat to the financial stability of the institution or of the financial system in the State, there is no obligation to notify the institution in advance. Third, to make a special management order whereby the Central Bank would take over the effective management of an institution that is failing. Subject to an imminent threat to financial stability, any such order would be on prior notice to the financial institution concerned and subject to the approval of the High Court.

Under the legislation, the Minister for Finance has powers to make financial incentives, such as loans or guarantees, available to any proposed acquirer of a financial institution. The Minister will also have powers in respect of the winding up of a financial institution, for example, the requirement that nobody can appoint a liquidator without the Central Bank's approval. The Minister will have the power to direct a financial institution to prepare and implement a recovery plan, together with powers to prepare a resolution plan for that institution.

This legislation serves to reinforce Ireland's commitment to resolve and restore the confidence of the public and greater transparency in the financial services sector. This is to be achieved through the process of open and transparent regulation, an effective and efficient resolution regime for failing institutions and the active process of deleveraging and downsizing some of the existing institutions in an orderly and transparent manner. The proposed changes and the commitment of the Central Bank and the Government to implement them will assist in remedying some of the disparities in the system and, with renewed confidence, lead the institutions into the next decade.

I have criticised the Fianna Fáil-Green Party Government previously and will do so again, because it must be repeated that the former Government left the Irish people an awful legacy. The current Administration is determined to leave Ireland and her people a better legacy by

getting on with fulfilling the EU-IMF obligations, such as the legislation before the House, to which the former Administration signed up the State.

**Minister for Finance (Deputy Michael Noonan):** I thank the Deputies who participated in this Second Stage debate for their thoughtful contributions on what is undoubtedly an important piece of legislation. Many expressed a welcome for the provisions of the Bill, recognising the importance of the State having available to it a comprehensive toolkit to address financial institutions that are in distress.

Turning to some of the specific issues raised, many Deputies referred to the situation in Greece and drew comparisons with Ireland. There are significant differences between the positions in Ireland and in other peripheral economies. Ireland is a dynamic economy with a strong medium-term growth potential. Irish goods, services and Irish labour and capital markets are flexible, a fact borne out by various OECD studies. As one of the most open economies in the world, Ireland is well positioned to achieve export-led growth even when domestic demand is contracting. The current account of the balance of payments in Ireland moved into surplus last year. This means that Ireland as a whole is no longer increasing its external liabilities and is in surplus.

The roots of our problems are also different. Ireland's loss of market access is mainly related to the fiscal costs associated with supporting the banking sector. Other peripheral economies' difficulties are more of a structural nature, such as inbuilt rigidities and weak competitiveness, that will take longer to rectify. Like Ireland, however, these countries are taking and continue to take determined steps to resolve the difficulties they face. We have the features of a north European-type economy and not a Mediterranean one. Our model is entirely different from that found in the other countries experiencing difficulties.

A number of Deputies raised the related issues of the Government's proposed approach to burden sharing with senior bondholders in the banks and the fact that the Bill does not provide for powers to impose losses on senior bondholders. The Government's position on imposing losses on senior bondholders has not changed from the position I set out in my statement on banking on 31 March. All senior bondholders in the pillar banks of AIB-EBS and Bank of Ireland and in Irish Life & Permanent, whether guaranteed or unguaranteed, will be repaid in full. As I stated in March and a number of times since, this is essential to maintain the market reputation of these institutions and to ensure their return to market funding in due course.

However, I also indicated that the position regarding the bondholders in Anglo Irish Bank and Irish Nationwide Building Society, INBS, institutions in different circumstances from the remainder of the banking system, would be considered following the completion of the independent review of the capital requirements of both banks last month. While the Central Bank has concluded that no additional capital is required for them, this does not remove the onus on the Government to consider all options to reduce the cost to the taxpayer of resolving these institutions. Therefore, in the autumn I will raise the issue of burden sharing to allow for the imposition of losses on unguaranteed and unsecured senior bondholders in Anglo Irish Bank and INBS with the IMF and EU authorities.

A number of Deputies pointed out that the Bill does not contain any provision for burden sharing with holders of subordinated debt, as is the case in the CIS Act enacted at the end of last year. It is important to understand that the Bill is intended to put a mainstream conventional resolution regime in place consistent with international good practice where it exists. The covered or guaranteed banks that are being restructured are not within the scope of the Bill at this time. Rather, the Bill will apply to credit institutions that have not been the beneficiaries of major public support during the past two and half years or so.

[Deputy Michael Noonan.]

The burden sharing powers under the CIS Act provide the legal basis for actions under way for these institutions as part of the restructuring of the banking system. As Deputies are aware, the CIS Act already provides for the making of subordinated liabilities orders to allow for burden sharing with subordinated bondholders and I have already used this power in respect of AIB. The banks being restructured have already received significant State support in advance of any contribution from bondholders and the Government is seeking to reduce further the cost of recapitalisation of these banks through imposing appropriate losses on subordinated bondholders.

As Deputies will be aware, liability management exercises, LMEs, are under way in Bank of Ireland and Irish Life & Permanent. Ensuring that holders of junior debt in the banks make a significant contribution to the overall cost of recapitalising the banks following the results of the prudential capital assessment review, PCAR, exercise is a key policy objective supported by the external authorities. Once the LMEs are complete, the authorities will examine the further steps required to support this objective, including by utilising the legal powers available to the Minister under the CIS Act.

The resolution Bill is forward looking with a wider scope than the stabilisation Act. It provides the Central Bank with tools for the resolution of institutions and is focussed on ensuring that the resolution, rather than stabilisation, of an institution does not impact of the stability of the financial system.

The issue of burden sharing with senior creditors, or “bail-in mechanisms” as they are generally referred to, remains under discussion internationally but as yet no clear consensus has emerged. Any pre-emptive action on our part by including such tools in our “steady-state” special resolution regime in advance of agreement at EU and international level could have significant negative consequences in particular for the international banks within the scope of this Bill; for example it could lead to ratings downgrades for these banks. It also would be expected to generate negative sentiment among market participants towards Ireland owing to the perceived uncertainty regarding our commitment to an agreed international methodology on bail-in mechanisms.

A number of Deputies mentioned the resolution fund to be established under the Bill. A clear lesson from the crisis has been the importance of ensuring that there are mechanisms in place to ensure the financial sector makes an appropriate contribution to the cost of resolving institutions in difficulties. The introduction of a bank levy is one of the objectives set out in the programme for Government and this Bill will provide for the introduction of such a levy, through the establishment of a resolution fund, based on contributions from authorised credit institutions. However, it is important that the timing of the imposition of this cost on the financial sector, and its potential impact on the financial position of authorised credit institutions is considered carefully and not rushed into, particularly given the difficulties still facing the sector overall. For that reason, and to allow for an appropriate flexibility in the level of contributions individual institutions are required to make to the fund, the Bill provides that this detail be set out in regulations.

I will be requesting the Central Bank of Ireland to undertake an analysis of the appropriate calibration of the banks’ contribution in relation to base and rate and for its possible phased introduction having regard to the financial position of the Irish domestic banks in particular and the plans outlined in my statement of 31 March on the future structure of the sector.

The fund may be used to finance the cost of the resolution tools provided for in the Bill including providing capital for a bridge bank and reimbursing the Minister for any financial incentives provided for the transfer of assets and liabilities. Of course it will take time to



develop a fund which holds a significant level of funds while ensuring that the level of contribution for the banks is commercially sustainable and in line with international norms. To take account of this lag, the legislation provides that the Minister may also make contributions to the fund; this would allow the fund to be used even if industry contributions do not meet the requirements of a particular resolution. However, the legislation provides that the Minister will be reimbursed for any such contributions to the fund. It is very important to stress that ultimately it will be the industry rather than taxpayers that will bear the cost of resolutions in the future.

Deputy Pringle had concerns regarding the intervention conditions. The intervention conditions are a cornerstone of the approach to resolution set out in this Bill; transfer orders and special management orders can be made only where certain conditions are met. These conditions include a requirement that the Central Bank is satisfied that the institution is failing or is likely to fail to meet a regulatory requirement or a requirement or condition of its licence or authorisation. The intervention conditions in the Bill take into account work underway in the EU and the resolution regimes that have been put in place in other member states. In particular it is generally recognised that there is a balance to be struck between “hard triggers” which require action to be taken and “soft triggers” which allow for some flexibility.

The intervention conditions in the Bill look to achieve this balance while allowing action to be taken by the Central Bank at a sufficiently early stage. It is a major priority to ensure the Governor is persuaded that the use of the resolution powers is in the public interest rather than winding up of an institution.

I have noted the concerns of a number of Deputies regarding the need to take into account the special role of credit unions within the community and the difference between them and the commercial banks. The Programme for Government 2011-2016 recognises the importance of credit unions as a volunteer movement and that strong credit unions with a community focus and volunteer ethos should remain a central part of the Irish financial landscape.

The Government has established a commission on credit unions which has begun its work. Having regard to the particular nature of the credit union sector, the commission will review the future of the credit union movement and make recommendations to Government on the most effective regulatory structure for credit unions, taking into account their traditional role. This is to be achieved while paying due regard to the need to fully protect depositors’ savings and financial stability.

The Government has also included in the terms of reference for the commission a requirement to make recommendations in respect of any immediate policy proposals on foot of our work under the EU-IMF programme of support for Ireland. Ireland’s commitments under the programme include undertaking stress tests on credit unions and carrying out a review of credit union loan books. This exercise has been completed by the Central Bank of Ireland. Under the programme, I have also prepared a strategy to underpin the solvency and viability of any undercapitalised credit unions and my officials are in further discussions on the detailed aspects of implementing this strategy.

By the end of 2011, and in line with the EU-IMF programme of support for Ireland, the Government will submit legislation to the Houses of the Oireachtas to assist the credit unions with a strengthened regulatory framework including more effective governance and regulatory requirements. The commission on credit unions will provide me with an interim report at the end of September which will contain proposals in this regard. The Government has requested the commission to submit a final report by the end of March 2012.

Deputy McGrath made reference to businesses being forced to convert an overdraft facility into a term loan and Deputy Halligan referred to the pillar banks not meeting businesses need

[Deputy Michael Noonan.]

for credit. These issues can both be referred to the Credit Review Office. Under their review regime, “refusal” includes a decision by a participating institution to reduce or withdraw an existing credit facility as well as an outright refusal. 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. I would strongly advise anyone who has unsuccessfully appealed through the bank’s own internal appeals process to seek a review by the Credit Review Office.

Deputy Ross raised issues about a lack of change in the prevailing culture and board renewal at the covered institutions. The figures quoted by the Deputy on the number of pre-crisis directors remaining at Bank of Ireland are not wholly accurate. Following its recent AGM, where the resignation of several directors took place, four pre-crisis directors are still in post, although higher figures were mentioned by the Deputy. These, along with all other directors, at all of the remaining covered institutions, irrespective of date of appointment who intend to be in office on 1 January 2012, will be subject, as announced by the Central Bank of Ireland, to assessment against the new fitness and probity standards for such appointments which the CBI envisages being implemented by 1 September 2011.

Subsequent to the July AGM of AIB and consequent on the recent mergers involving EBS and INBS only ten pre-crisis directors will still be in post — a reduction of almost 90%. The Government has sought board renewal plans from the institutions and has committed to establishing a pool of qualified candidates who would be suitable for appointments to bank boards subject to appropriate regulatory approval. Work is on-going in this matter and the Deputy can expect new and fresh appointments in coming months to ensure the boards are fit for purpose to play their vital role in the necessary restructuring of the banking sector.

The Government programme commits the Government to introducing a comprehensive special resolution regime for dealing with bank insolvencies and a bank levy. The Central Bank and Credit Institutions (Resolution) (No.2) Bill provides a basis for achieving these important commitments in the Government’s programme on a SRR and bank levy to ensure that the financial industry contributes to the cost of any resolution measures in the future.

I propose to bring forward a number of amendments to the Bill on Committee Stage to enhance the Bill’s provisions in the light of further deliberations since its publication, including discussion with the EU and IMF authorities. I look forward to a detailed engagement with

*6 o’clock* Deputies on Committee Stage and thank Deputies again for their contributions to the debate on Second Stage. I have heard with interest the contributions of Deputies. Deputy Maureen O’Sullivan and Deputy Dara Murphy spoke about the importance of credit unions, and I dealt with that subject in my reply. Deputy O’Sullivan also mentioned the difficulties that small and medium-sized enterprises are having in accessing credit. As I pointed out, the Credit Review Office takes appeals. Just some days ago, I raised the limit for its consideration from €250,000 to €500,000 because it was brought to my attention that many of the small firms in difficulty found themselves above the ceiling of €250,000. The main difficulty arises for firms with working capital requirements of between €250,000 and €500,000 so that is now within the remit of the Credit Review Office and appeals can be made there.

There is a lot of anecdotal evidence about credit, but some of it does not seem to be accurate. In the period of office of the credit review officer, only 83 appeals were made to that office by persons with credit requirements under €250,000. We will see where it goes when the new limit is put in place. Frequently, worse cases come to our attention as public representatives. There seem to be as many problems with the lack of demand for credit as with the lack of credit supply in the economy at the moment.

Deputy Arthur Spring made a good analysis of the situation, as did Deputy Seán Kenny, in referring to events in Brussels today. I hope everything works out well, but such negotiations are always difficult. Unanimity is required, so what is put forward in the first proposal is not necessarily what comes out at the end. I hope everything will go well. We have brought about a situation where the main policy instruments we require are up for discussion but, as I said, it requires unanimity to get things over the line. We will know the situation later tonight, I presume.

Deputy Stephen Donnelly had a strong analytical approach to the Bill as well and I agree with many of the points he made. I will be open to considering amendments to improve the Bill. It is the kind of legislation that should be constructed by Members on all sides of the House before Final Stage is reached. It is an evolving debate and Committee Stage will take place in the next session. I intend bringing forward some amendments on the basis of the debate that has already taken place. We will look on their merits at any amendments Deputies may wish to table.

I thank all the Deputies who contributed to the debate. As Deputy Spring already said, I hope Deputies will have a good break. It has been a long year for anyone who started campaigning well before the election, worked their way through the election and then on to the first session of the new Dáil. I think a break will be welcomed by everybody.

**Acting Chairman (Deputy Thomas P. Broughan):** It is now time to put the question: “That the Bill be now read a Second Time.” Is that agreed?

**Deputy Catherine Murphy:** Not agreed.

**An Ceann Comhairle:** Will the Deputies claiming a division please rise?

*Deputies Richard Boyd Barrett, Joan Collins, Clare Daly, Joe Higgins, Catherine Murphy, Finian McGrath and Mick Wallace rose.*

**An Ceann Comhairle:** As fewer than ten Members have risen I declare the question carried. The names of the Deputies dissenting will be recorded in the Journal of the Proceedings of the Dáil.

Question declared carried.

### **Message from Seanad**

**An Ceann Comhairle:** Seanad Éireann has passed the Electoral (Amendment) Bill 2011, without amendment.

### **Central Bank and Credit Institutions (Resolution) (No. 2) Bill 2011: Referral to Select Committee**

**Minister for Finance (Deputy Michael Noonan):** I move:

That the Bill be referred to the Select Sub-Committee on Finance pursuant to Standing Order 82A(3)(a) and (6)(a).

Question put and agreed to.

## Ceisteanna — Questions

### Priority Questions

#### Acht na dTeangacha Oifigiúla

1. **D'fhiafraigh Michael P. Kitt** den Aire Ealaíon; Oidhreacht agus Gaeltachta an ndéanfaidh sé léirmheas iomlán ar Acht na dTeangacha Oifigiúla, 2003; agus an ndéanfaidh sé ráiteas ina thaobh. [22062/11]

2. **D'fhiafraigh Peadar Tóibín** den Aire Ealaíon; Oidhreacht agus Gaeltachta cathain a chuirfear tús leis an athbhreithniú ar Acht na dTeangacha Oifigiúla, 2003, ar beartaíodh tabhairt faoi sa Chlár Comhaontaithe don Rialtas; an gcuirfear na moltaí maithe, cuimsitheacha atá déanta ag an gCoimisinéir Teanga sa tuairisc dá chuid ar an 5 Iúil 2011 san áireamh san athbhreithniú; agus an ndéanfaidh sé ráiteas ina thaobh. [22065/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Tá rún agam Ceisteanna Uimh. 1 agus 2 a fhreagairt le chéile.

Ní miste a mheabhrú don Teach go bhfuil céimeanna suntasacha tógtha go dtí seo maidir le cur i bhfeidhm fhorálacha Acht na dTeangacha Oifigiúla. Áirítear i measc na gcéimeanna sin ná go bhfuil 105 scéim teanga céaduaire, a chlúdaíonn 191 comhlacht poiblí ar fad, daingnithe agus foilsithe ó tháinig an tAcht i bhfeidhm; tá 26 scéim teanga céaduaire eile, a chlúdaíonn 34 comhlacht poiblí, á n-ullmhú faoi láthair; chomh maith leis sin, tá 18 dara scéim teanga daingnithe agus foilsithe go dáta agus tá 67 dara scéim teanga eile á n-ullmhú faoi láthair. Tá Oifig Choimisinéir na dTeangacha Oifigiúla bunaithe ó mhí Feabhra 2004 agus tá gach foráil den Acht i bhfeidhm ó mhí Iúil 2006.

I mí Dheireadh Fómhair 2008, tar éis próiseas cuimsitheach comhairliúcháin, rinneadh na Rialacháin um Acht na dTeangacha Oifigiúla 2003 (alt 9) 2008le teacht i bhfeidhmó 1 Márta 2009. Tá sé mar aidhm ag na rialacháin feiceálacht na Gaeilge sa saol poiblí a threisiú. Baineann na rialacháin le húsáid na Gaeilge agus an Bhéarla ag comhlachtaí poiblí ar stáiseanóireacht, ar chomharthaíocht agus i bhfógairtí taifeadta béil. Tá 11 ordú logainmneacha déanta go dáta faoi Acht na dTeangacha Oifigiúla, ina measc an tOrdú Logainmneacha (Ceantair Ghaeltachta) 2004.

Ar iarratas ó mo Roinnse, tá córas creidiúnaithe d'aistritheoirí Gaeilge forbartha ag Foras na Gaeilge. Tá 158 duine ar an bpainéal d'aistritheoirí atá creidiúnaithe ag an bhforas.

Coimeádtar feidhmiú Acht na dTeangacha Oifigiúla faoi bhreithniú ag mo Roinn ar bhonn leanúnach, i gcomhréir le halt 5 den Acht. Chomh maith leis sin, i gcomhréir leis an ngealltanas i gClár an Rialtais, tá athbhreithniú ar leith á dhéanamh ag mo Roinn ar an Acht. Tá na céimeanna tosaigh le dlús a chur leis an athbhreithniú sin á dtógáil faoi láthair, ar a n-áirítear téarmaí tagartha a dhréachtú, a thógfaidh san áireamh stádas na Gaeilge sa Bhunreacht, spriocanna na straitéise 20 bliain don Ghaeilge agus na bealaí is éifeachtaí chun seirbhísí an Stáit a sholáthar don phobal trí mheán na Gaeilge. Reáchtófar próiseas comhairliúcháin phoiblí mar chuid den athbhreithniú seo agus rachfar i gcomhairle leis na páirtithe leasmhara cuí. Sa chomhthéacs seo, is cinnte go gcuirfear na moltaí atá foilsithe ag an gCoimisinéir Teanga an mhí seo san áireamh mar chuid den phróiseas athbhreithnithe.

**Deputy Michael Kitt:** Tá moltaí spáisúla ag an Choimisinéir Teanga ach go dtí níl ach mionléirmheas ar an Acht, ag plé le haistriúchán agus an scéal faoi Dingle/Daingean Uí Chúis agus

cuirim fáilte roimhe sin. Cénuair a thosóidh an athbhreithniú mar a gealladh roimh an toghchán? An mbeidh an tAire sásta na moltaí a phlé leis an choiste?

**Deputy Dinny McGinley:** Tá na céimeanna tosaigh le dlús a chur leis an athbhreithniúá dtógáil faoi láthair, ar a n-áirítear téarmaí tagartha sonracha. Tá mé dóchasach go mbeidh na téarmaí tagartha sin aontaithe i mí Mheán an Fhómhair agus go mbeidh siad réidh ansin le tús a chur leis an phróiseas chomhairliúcháin. Beidh an t-athbhreithniú críochnaithe taobh istigh de bhliain. Is cinnte go mbeimid ag dul i gcomhairle leis an choimisinéir féin agus ní fheicim aon deacracht go mbeimid i gcomhairle leis an chomhchoiste mar go bhfuil ionchur tábhachtach aige i gcúrsaí teanga agus Gaeltachta. Aon duine nó eagraíochta ag a bhfuil suim a gcuid tuairimí a chur i láthair, beidh fáilte rompu san athbhreithniú. Tá me cinnte go dtuigfidh an Teachta agus na Teachtaí eile go bhfuil an tAcht ag feidhmiú anois le beagnach deich mbliana agus go bhfuil sé in am cuí go ndéanfar aithbhreithniú ar an Acht féin. Má tá laigeachtaí ann nó aon leasuithe le déanamh, déanfar ansin iad. Rachaimid i gcomhairle agus éinne ag a bhfuil moladh, glacfar leo agus déanfar é a scrúdú. Tá súil agam go mbeidh na téarmaí tagartha ann i mí Mheán an Fhómhair agus go mbeidh an t-aithbhreithniú críochnaithe taobh istigh de bhliain ina dhiaidh sin.

**Deputy Peadar Tóibín:** Mar is eol don Aire Stáit, d'fhógair an Coimisinéir Teanga go raibh dhá thuarascáil speisialta aige a thug cuntas ar chásanna ina raibh sárú déanta ag comhlachtaí poiblí a ndualgais reachtúla teanga a chur i bhfeidh. Ní dhearna Feidhmeannachta na Seirbhíse Sláinte agus Ard-Mhuseam na hÉireann athchomharc chun na Ard-Chúirte i gcoinne an chinidh a rinne an coimisinéir ach fós níor chuir siad moltaí i bhfeidhm. Dúirt an coimisinéir is ar Tithe an Oireachtais a thiteann an dualgas anois. Tá sinn freagrach anois an fhadhb seo a réiteach.

An bhliain seo caite, theip ar 25% de na comhlachtaí poiblí a gcuid dualgais faoin Acht a chur i bhfeidhm. Tá an t-am ag sleamhnú thart agus ní faic déanta ag an Rialtas. Inniu chonaic muid céim siar eile ó thaobh an Bhille um Dhlí Sibhialta. Ní chaithfidh an Rialtas anois Billí a fhoilsiú ar an Idirlíon i nGaeilge ag an am céanna leis an chóip Bhéarla. Cúpla seachtain ó shin, athraíodh an córas ar an dóigh a thugtar aitheantas do Ghaelscoileanna. Beidh sé níos deacra anois Gaelscoil a bhunú. Tá a lán oibre á déanamh ag an Rialtas ach tá an obair sin in éadan na Gaeltachta agus na Gaeilge. Is cúis phráinneach é seo agus iarraim ar an Aire Feidhmeannacht na Seirbhíse Sláinte agus an tArd-Mhuseam a thabhairt isteach anseo agus ceist a chur orthu cén fáth nach na dualgais sin comhlíonta go dtí anois. Is féidir linn iad a thabhairt isteach chuig an choiste. An bhfuil an tAire Stáit sásta sin a dhéanamh go bhfreagróidh siad ceisteanna maidir le cén fáth nach bhfuil siad chun na dualgais atá acu ó thaobh teanga de a chomhlíonadh?

**Deputy Dinny McGinley:** An dá eagraíocht a luaigh an Teachta nach bhfuil ag cloí leis an Acht go dtí seo de réir thurascáil an choimisinéir, níl aon chúis agam i gcoinne iad a thabhairt isteach ag an chomhchoiste Oireachtais ach sílim gur sin cinneadh a bhaineann leis an chomhchoiste féin. Má tharlaíonn sé, beidh sé i gceart.

Maidir leis an leasú atáá dheanamh le halt 7 Acht na dTeangacha Oifigiúil, is cinnte go ndéantar é sin ar bhonn go raibh deacrachtaí ann go dtí seo. Ní sháraíonn sin an tAcht féin, go gcuirtear an leagan Gaeilge agus an leagan Béarla de Bhillí a ritheann fríd an Oireachtas agus atá sínithe ag an Uachtarán a fhoilsiú go comhuaineach ach bhí deacrachtaí mar go bhfuil moill leis an fhoilsiú sin. Bhí sé ag cothú deacrachtaí go bhfuil Billí ann atá ina ndlíthe don tír nach bhfuil leagan ar bith ar fáil. Sin an fáth gur cinneadh iad a chur ar an Idirlíon ach ní hionann sin agus a rá nach gcloífear leis an fhoráil atá san Acht go bhfoilseofar iad sa dá theanga go comhuaineach. Bhí sé riachtanach é seo a dhéanamh mar bhí daoine ag teacht os

[Deputy Dinny McGinley.]

comhair na gcúirteanna agus bhí dlíodóirí agus breithimh ar lorg Achtanna nach raibh ar fáil ar chor ar bith mar tá sé de dhualgas orainn faoin Acht é a fhoilsiú go comhuaineach i mBéarla agus i nGaeilge. Níl ann ach rud sealadach agus leanfar ar aghaidh leis an dualgas atá orainn faoin Acht féin, nuair a thiocfaidh an leagan cruá, foilseofar é as Gaeileg agus as Béarla.

**Deputy Peadar Tóibín:** Más fíor sin, tá an tAire Stáit ag rá go bhfuil an Ghaeilge ina cúis deacrachtaí don Oireachtas. Tá seirbhíse trí Ghaeilge ar chomhchéim leis an Bhéarla ag cothu deacrachtaí do na Tithe. Tá sé go huafásach sin a chloisteáil inniu. Ba cheart dúinn gach rud a dhéanamh ar bhonn dátheangach. Ní aon mhaith ann bheith ag iarraidh daoine a mhúineadh trí Ghaeilge agus seirbhís a chur ar fáil trí Ghaeilge mura bhfuilimid sásta an Ghaeilge a chur ar an leibhéal céanna leis an Bhéarla. Is céim siar sin d'aon teanga. In ionad Feidhmeannacht na Seirbhíse Sláinte a thabhairt isteach chuig an gcoiste, an bhfuil an tAire féin sásta cuireadh a thabhairt di chun an fhadhb a luaigh an Coimisinéir Teanga a réiteach?

**Deputy Dinny McGinley:** Aontaím leis na dualgais atá ar gach comhlacht Stáit de bharr Acht na dTeangacha Oifigiúla, go mbeadh orthu tuarascálacha a chur ar fáil sa dá theanga agus tá mé cinnte go dtabharfaidh na heagrais a luaigh an Coimisinéir aird ar an mholadh a bhí go bhfuil easnamh ansin. Tá mé cinnte go dtarlóidh sin.

Ní shílím go gcuirfidh an leasú ar an Bhille seo isteach ar an Acht nó go sáraíonn sé an tAcht agus nuair a thiocfaidh an leagan cruá amach, tiocfaidh sé amach i nGaeilge agus i mBéarla. Ar an drochuair, tá deacrachtaí ann — tá moill i gceist. Dá mbeadh gach rud foirfe, thiocfaidís amach le chéile ach déanann seo a rud sealadach le bearna a líonadh go dtí go dtiocfadh an leagan cruá amach sa dá theanga.

### Arts Funding

3. **Deputy Maureen O'Sullivan** asked the Minister for Arts; Heritage and the Gaeltacht the progress that has been made to date in implementing the Programme for Government plan regarding the arts and in particular the progress made in seeking to capture some public good from the National Assets Management Agency by identifying buildings that have no commercial potential and which might be suitable as local facilities for art and culture particularly in Dublin Central. [22334/11]

**Deputy Dinny McGinley:** I assure the Deputy of this Government's commitment towards the arts and culture sectors. We are intent on pursuing this agenda while recognising the limited financial resources available and taking account of the evolving budgetary and Estimates positions. I am pleased to report that in the four months since taking office, progress is being made on a number of fronts in regard to our commitments in the programme for Government. Strategic policy formulation is the primary function of my Department and significant work has been undertaken on its new statement of strategy. Dialogue has been initiated within the arts community and with local authority arts officers with a view to introducing an interactive strategy and more co-ordination of their work at national and local level. Interesting connections are being made with relevant individuals to explore the possibilities for philanthropy and other fund-raising activities. In that context, the Department is now represented on the forum on philanthropy.

I also understand that the Arts Council has been developing its touring policy. Plans are now being finalised for Culture Night 2011 and I hope to progress publication of the 1926 census in coming months.

In relation to the proposal regarding the use of NAMA buildings for cultural purposes, the Minister for Arts, Heritage and the Gaeltacht has met the chair and chief executive of NAMA

on the matter and those contacts will continue. It would not be appropriate to comment in more detail on those discussions at this point.

The next five years can be an exciting time for the arts, culture and film sectors. Their integration into one Department, along with the Irish language, islands and heritage responsibilities, makes eminent sense and I look forward to seeking out and building on the self-evident synergies between these areas.

**Deputy Maureen O’Sullivan:** I mean no disrespect to the Minister of State, Deputy McGinley, when I express disappointment that the Minister is not in the Chamber to take questions. The Technical Group facilitated the various changes to the parliamentary question rota that have occurred over recent weeks.

Yesterday morning, the Minister attended the launch of the Dublin Fringe Festival at the Project Arts Centre. When I spoke to him afterwards, he expressed his admiration for the drive and enthusiasm of the group of largely young people who organised the festival. Many of these individuals were involved in Dublin Youth Theatre, which is housed in appalling accommodation in Gardiner Street. However, even though the building is restricted and does not have enough room for its needs, Dublin Youth Theatre has produced a number of talented playwrights and actors. I hope alternative accommodation for this group will be on the agenda when the Minister continues his discussions with NAMA. When does the Minister of State envisage the Minister issuing a report on the discussions?

The project for this year’s final class of architecture students in DIT was “NAMA lands”. They came up with several interesting suggestions for NAMA’s buildings, many of which are located in Dublin Central. There was a particularly interesting proposal for that appalling monument to Anglo Irish Bank on North Wall. Perhaps the Minister’s attention can be drawn to the students’ exhibition.

**Deputy Dinny McGinley:** The Minister is absent due to a change in Question Time which was originally arranged for earlier in the afternoon. He regrets that he has another commitment and, as a result, is unable to attend. I am deputising for him as the Minister of State with responsibility for the Gaeltacht.

The Minister has met the chief executive of NAMA on two occasions and discussions are ongoing. The questions raised by the Deputy will be conveyed to him and I hope a reply will be furnished at the earliest opportunity.

**Deputy Maureen O’Sullivan:** I recognise that we must operate within economic constraints, but I was pleased to learn there will be continued support for the arts. There is a significant movement within community arts and I hope this area is well supported in the budget.

**Deputy Dinny McGinley:** I completely agree with the Deputy. While I do not have responsibility for the arts, I attended or opened a number of arts festivals and exhibitions over the past several weekends. A fortnight ago I visited Inis Oirr, where I had the honour of opening a fine exhibition by artists from Celtic countries, including Scotland, Wales and Ireland. Last Friday I had the privilege of opening an art exhibition in my own parish. There is a boom in the arts in every part of the country and that is to be welcomed. The energy and creativity of these people are not hindered by the considerable financial constraints under which we must operate. I am sure the Deputies opposite have had similar experiences of being invited to openings and seeing the genuine enthusiasm of those involved with the arts. It is a great credit to the country.

#### **Arts and Cultural Projects**

4. **Deputy Robert Troy** asked the Minister for Arts; Heritage and the Gaeltacht if he will

[Deputy Robert Troy.]

outline his plans to acquire and convert Bank of Ireland's College Green headquarters into a cultural space; the outcome of his discussions to date with Bank of Ireland in relation to this matter; if he has considered the cost involved in converting this building into a cultural space; and if he will publish his full proposals in this regard. [22063/11]

**Deputy Dinny McGinley:** I refer the Deputy to my replies of 24 May and 2 June 2011 on this matter. I have met the chair and chief executive of Bank of Ireland and we had a constructive engagement on the issues relating to the College Green building. These contacts are continuing.

**Deputy Robert Troy:** That was not a particularly comprehensive reply. I was hoping for more information than that. It is a matter that is on the public agenda and it has been reported widely in the newspapers. I would have liked to have heard a clear plan for what the Minister proposes to do with the building. I acknowledge that it remains in Bank of Ireland's ownership but the State owns 36% of the same financial institution. I support the Minister in his intentions for this historic building. We are focusing on tourism as a way of generating employment. I had hoped for a clear report of exactly what has happened to date and I am disappointed this has not materialised. We should know exactly what the Minister intends to do with the building and the surrounding area. Perhaps the Minister could furnish a written reply at a later date?

**Deputy Dinny McGinley:** As the Deputy knows, the topic is rather sensitive as meetings and discussions are ongoing, with further meetings planned. Due to the nature of these discussions, it is difficult to say much at this time. The process will continue, and as the Deputy noted, the announcement that the negotiations are continuing has received widespread welcome in the media and throughout the country.

The building in question is an iconic part of the city centre, situated in an area with a strong association with literature. Trinity College is nearby with its statues of Goldsmith — author of "The Deserted Village" — and Sheridan. It is an ideal area for a literary and cultural centre. I understand other buildings have also been considered, such as the National Museum and the National Library beside us. I am sorry we cannot provide more information at this stage but perhaps on the next Question Time, after the summer recess, if negotiations continue we may be in a position to give more concrete information. Negotiations over property and ownership can be fluid.

Dublin has already been designated as a city of literature by UNESCO and it is only proper that we have an iconic building as part of this, such as the example mentioned by the Deputy. It would provide a focus and we will see what will come from these negotiations.

**Deputy Robert Troy:** I acknowledge that issues can be sensitive in negotiations. Has the Department considered the cost implications of the project? I am sure that before we considered anything, we looked at costs, which are a top priority in these straitened times. I asked about the cost implications of the works in the initial question. The Minister of State has correctly stated that this is an iconic building, and recently we saw President Obama address the large gathering with the building as a backdrop. It was used by former President Clinton as well. Nobody is questioning the historic importance of the buildings but has the Department examined cost implications?

**Deputy Dinny McGinley:** I am sure that with any initiative taken during these difficult economic times, costs and resources come into the equation. I am sure that if there is to be any agreement, they will make up an important element of the outcome. I have not been involved



with the discussions but I am sure the Minister is very much aware of the constraints we all must operate under in these difficult times.

### **Restoration Projects**

5. **Deputy Sandra McLellan** asked the Minister for Arts; Heritage and the Gaeltacht if he will confirm his commitment to ensuring the restoration of the Ulster Canal between Clones, County Monaghan and Lough Erne, County Fermanagh, in line with commitments at the North South Ministerial Council in 2007 and in view of this project's important economic potential for this central border region; and if he will make a statement on the matter. [22335/11]

**Deputy Dinny McGinley:** As the Deputy will be aware, the North-South Ministerial Council plenary meeting in July 2007 agreed to proceed with the restoration of the section of the Ulster Canal between Clones and Upper Lough Erne. The then Government agreed to cover the full capital costs of the project, which were estimated at that time to be of the order of €35 million. However, Government accounting procedures do not provide in that sense for ring-fencing funds for projects of this nature.

I am advised that it was always the intention that the Ulster Canal project would be funded from the Waterways Ireland annual allocations, as agreed through the annual Estimates processes in this jurisdiction, as well as the deliberations of the council with regard to annual budgets. I am advised also that it was also a key consideration throughout the process that the Ulster Canal project would be supported by a significant level of projected income from the commercialisation of certain Waterways Ireland assets, a scenario that was affected negatively by the economic downturn.

That downturn is of major significance and presents serious difficulties to my Department during this period when there is such pressure on the public finances. I intend to explore all possible options that may assist in the advancement of this project but it must also be recognised that the Government is engaged at present in a comprehensive review of expenditure, under which all spending is being examined rigorously. Notwithstanding that, the Minister asked my Department to keep in regular contact with Waterways Ireland with a view to advancing the project to the extent possible within the current constraints. In this regard, the Deputy will be aware that Waterways Ireland is in the process of finalising documentation to proceed to the stage of submitting an application for planning permission, which is a significant milestone for the project.

**Deputy Sandra McLellan:** The Ulster Canal project holds enormous potential to open up the central Border area, which has experienced economic disadvantage for many years due to effects from its location. The potential positive impact on all the towns and villages in the canal corridor would lead to significant regeneration and benefits due to increased tourism, business development and prosperity in general, not to mention the many construction and ancillary jobs that would be created.

Does the Minister of State agree that this project can return major social, economic and peace dividends? I appreciate that 2007 was a very different time to now, economically speaking, but the merits of the project stand. Does the Minister of State agree that a large amount of preparatory work has already gone into the project, including feasibility and socio-economic studies, as well as extensive community and stakeholder consultation, to bring it to its current position? Will the Minister of State give a commitment that this project is a priority in light of the economic, social and peace dividend, and in light of existing evidence that such amenities provide a substantial boost for local economies? Is there potential for other canals to be taken in charge by Waterways Ireland?

**Deputy Dinny McGinley:** I agree with the Deputy's comments that completion of this project would bring great economic benefit to the area. It is an almost unique area in the country, with Fermanagh being the county of islands and lakes. I drove along the Erne last Sunday and returned in a happier mood with Donegal having won the Ulster football title. The countryside looked even better on the return journey. I went into a hotel on the banks of Lough Erne and saw the boats on the lake. Completion of the project would bring great benefits, as tourist activities such as boating are popular these days. People wax lyrical about the canals in France and elsewhere but we have our own set in beautiful countryside.

This is a North-South project to which we are committed. I am sure the Deputy would agree that the process has not come to a halt as we are preparing to go for planning permission. The process is moving along but we must be mindful of the economic and financial constraints to which we are subject. Nothing would give me greater pleasure than moving the project on. I know the Minister is very interested in this because it was discussed about a fortnight ago in Armagh at the North-South ministerial gathering. This is on the agenda and has not been put on the long finger. The project will go for planning and I am confident we will see it completed, although I am not able to give a definite date for the Deputy. I know how interested Deputies are in it.

**Deputy Sandra McLellan:** I am glad it is progressing and we might have a date soon for completion, or even the beginning, of the project.

### Other Questions

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#### General Post Office

6. **Deputy Sandra McLellan** asked the Minister for Arts; Heritage and the Gaeltacht his plans to develop the General Post Office as a cultural centre in view of the options outlined in the recent feasibility study prepared by his Department and the Office of Public Works; and if he will make a statement on the matter. [21794/11]

**Deputy Dinny McGinley:** As the Deputy is aware, the feasibility study referred to in her question is available on the website of the Department of Arts, Heritage and the Gaeltacht. It was undertaken to assess the feasibility of locating the Abbey Theatre in the GPO. The feasibility group included representatives of the Office of Public Works, the Abbey Theatre, An Post and the Departments of Communications, Energy and Natural Resources and Arts, Heritage and the Gaeltacht. The Deputy's question refers to the input into the group's work made by the Office of Public Works when it described the plans it had prepared in 2008. Any proposals relating to the use of the GPO would be a matter in the first instance for the Minister for Communications, Energy and Natural Resources in consultation, as necessary, with the Office of Public Works. The feasibility report found that although it would be technically feasible to relocate the Abbey Theatre to the GPO complex, it would be extremely difficult to complete the relocation in time for the 1916 centenary celebrations. The GPO houses 960 staff of An Post which holds an exclusive lease of the complex until 2034 at an annual rent of €1.27 million. The report estimated that the cost of the relocation of the Abbey Theatre to the GPO would be €293 million. The estimate came with a caveat that several unknown factors could add significantly to that sum.

**Deputy Sandra McLellan:** Like the issue of the Moore Street monument, this matter arises again and again. If one examines the questions tabled to the Minister for Arts, Heritage and the Gaeltacht since he took office, it is obvious that this subject is being raised frequently. It

is really in the hearts of the people. It is in my heart also. What provision has been made in the run-in to 2016 for the creation of a national monument incorporating the GPO, Moore Street, Moore Lane and O'Rahilly Parade? Such a project would be very important in the context of the centenary celebrations in 2016.

**Deputy Dinny McGinley:** I agree with the Deputy that this has been a long-running issue. When I was my party's spokesman on the arts before the 2007 general election, where the Abbey Theatre would be located was a live issue. It was suggested it could be moved to the GPO, the Carlton site or the docklands area. A firm decision has been made that it will remain at its present location for the time being. We must bear in mind that it would cost €293 million, a huge sum in these difficult economic times, to transfer the theatre to the GPO. A cross-party committee, chaired by the Minister, Deputy Deenihan, is examining what could be done to properly commemorate the centenary of the great events of 1916. Not only was it a military affair, it was also a literary affair. It was almost a poetic affair. I am sure all the possibilities will be considered by the committee chaired by the Minister. I am also sure it will be fittingly commemorated when the time comes and we are all looking forward to it. I hope we will all be here.

**Deputy Sandra McLellan:** We really want to create a cultural area before 2016.

**Deputy Dinny McGinley:** Yes. There was a strong connection between the 1916 Rising and culture, literature and the Irish language. Many of the leaders of the rebellion were former members of Conradh na Gaeilge who met while they were involved in that organisation. They played an important role. As Minister of State with responsibility for the Gaeltacht and the Irish language, I hope the cross-party committee will recognise their contribution when the celebrations and commemorations are being planned.

**Deputy Robert Troy:** I support Senator McLellan in this regard. We accept the Minister of State's confirmation that the Abbey Theatre will not move to the GPO. I join the Deputy in suggesting the Department and the OPW should consider locating a cultural centre in the GPO to celebrate the history of the building as the focal point of the 1916 Rising. Many of our forefathers fought in GPO and its vicinity to secure the freedom of the country. As we approach the centenary celebrations, the Department should carefully consider what can be done with that area of Dublin city. I suggest it should develop a facility that could be used to celebrate the 1916 Rising, not only on a once-off basis but also by future generations. We will have festivals and commemorations to celebrate the centenary, but we should also develop this historic building in order that it would become an ongoing tourist attraction in the heart of the city. I ask the Department to revisit the matter with a view to putting something in place by 2016.

**Deputy Dinny McGinley:** I do not disagree with the Deputy. I agree with his depiction of the GPO as iconic. People who visit Ireland make their way to it because it is almost like the Bastille in another country. Previous commemorations were rather narrow and almost militaristic. We have to widen our focus on this occasion by highlighting the significance of our culture, language and poetry. I am confident that the committee chaired by the Minister will consider the views expressed here today.

### **Acht na dTeangacha Oifigiúla**

7. D'fhiafraigh **Dessie Ellis** den Aire Ealaíon; Oidhreacht agus Gaeltachta an bhfuil sé sásta go mbeadh bonn reachtúil i gceist do dhaoine atá ag iarraidh a n-ainmneacha, a sloinnteach agus

[D'fhiafraigh **Dessie Ellis**.]

a seoltaí Gaeilge a úsáid agus iad i mbun gnóthaí le comhlachtaí poiblí agus iad ag iarraidh pas a fháil; agus an ndéanfaidh sé ráiteas ina thaobh. [21784/11]

10. D'fhiafraigh **Peadar Tóibín** den Aire Ealaíon; Oidhreacht agus Gaeltachta i bhfianaise an ghealltanais a thug an Rialtas sa Chlár Comhaontaithe Rialtais go mbeidh athbhreithniú ar Acht na dTeangacha Oifigiúla, cathain a thosóidh an t-athbhreithniú sin; agus an ndéanfaidh sé ráiteas ina thaobh. [21783/11]

23. D'fhiafraigh **Aengus Ó Snodaigh** den Aire Ealaíon; Oidhreacht agus Gaeltachta cathain a bheidh an Rialtas ag cur dualgas reachtúil ar chomhlachtaí poiblí a oibríonn sa Ghaeltacht seirbhísí Gaeilge a chur ar fáil ar comhchaighdeán lena seirbhísí Béarla; agus an ndéanfaidh sé ráiteas ina thaobh. [21785/11]

**Deputy Dinny McGinley:** Tógfaidh mé Ceisteanna Uimh. 7, 10 agus 23 le chéile.

Ar an gcéad dul síos, ba mhaith liom aird na dTeachtaí a dhiriú ar an bhfreagra a thug mé ar Cheisteanna Uimh. 32, 49, 105 agus 108 ar 22 Meitheamh 2011, inar thug mé le fios go gcoimeádtar feidhmiú Acht na dTeangacha Oifigiúla 2003 faoi bhreithniú ag mo Roinn ar bhonn leanúnach. Go deimhin, tá dualgas ann faoi alt 5 den Acht feidhmiú an Achta a athbhreithniú go bliantúil agus tuairisc ina leith a leagan faoi bhráid Thithe an Oireachtais. Ar ndóigh, tá athbhreithniú ar leith le déanamh ag mo Roinn ar an Acht i gcomhréir leis an ngealltanais atá sonraithe i gclár an Rialtais. Tá na céimeanna tosaigh le dlús a chur leis an athbhreithniú sin á dtógáil faoi láthair, ar a n-áirítear téarmaí tagartha a dhréachtú, a thógfaidh san áireamh stádas na Gaeilge sa Bhunreacht, spriocanna na straitéise 20 bliain don Ghaeilge agus na bealaí is éifeachtaí chun seirbhísí an Stáit a sholáthar don phobal trí mheán na Gaeilge. Reáchtálfar próiseas comhairliúcháin phoiblí mar chuid den athbhreithniú seo agus rachfar i gcomhairle leis na páirtithe leasmhara cuí, Oifig an Choimisinéara Teanga san áireamh. Bheinn ag súil leis go dtógfá an cheist maidir le daoine atá ag iarraidh a n-ainmneacha, a sloinnteach agus a seoltaí Gaeilge a úsáid agus iad i mbun gnóthaí le comhlachtaí poiblí san áireamh i gcomhthéacs an athbhreithnithe sin. Maidir le húsáid na Gaeilge ar phas, tuigtear dom go ndaingnítear in alt 10 d'Acht na bPasanna 2008 na socrúithe reachtúla a bhaineann le cúrsaí dá leithéid. Ar ndóigh, is ar an Aire Gnóthaí Eachtracha agus Trádála atá an cúram reachtúil sa réimse sin.

**Deputy Peadar Tóibín:** Cé mhéad ama atá agam?

**Acting Chairman (Deputy Peter Mathews):** It is——

**Deputy Peadar Tóibín:** Given that three questions are being taken together, do we have six minutes for each question?

**Acting Chairman (Deputy Peter Mathews):** The Deputy has one minute and the supplementary questions will follow.

**Deputy Peadar Tóibín:** Labhraíomar nóiméad ó shin faoin ról a bhí ag baill Chonradh na Gaeilge in Éirí Amach na Cásca. Tá sé dochreidte sa bhliain 2011, beagnach 100 bliain níos déanaí, nach bhfuil daoine in ann a n-ainmneacha, a seoltaí agus a sloinnteach a úsáid as Gaeilge más mian leo. Is rud an-thábhachtach é do dhaoine. Tá níos mó daoine ag iarraidh é a dhéanamh na laethanta seo. Is minic a fheicim ainmneacha Gaeilge áúsáid ag daoine sna nuachtáin agus ar an teilifís.

Cúpla seachtain ó shin, tháinig lead óg thuas chugam agus bhí sé ag iarraidh pas a fháil. Chuaigh sé go hOifig na bPasanna agus dúirt an t-oifigeach leis go gcaithfeadh sé fianaise a

thabhairt dó go raibh sé ag úsáid an fhoirm sin dá ainm ar feadh dhá bhliain. Tá a fhios agam go bhfuil cúrsaí slandála ag baint leis an rud seo ach, i ndáiríre, tá bac curtha ar an lead sin chun a ainm a bheith i nGaeilge ar a phas. Tá sé ró-óg chun bille leictreachais nó bille gáis a bheith aige. Tá sé fós ina chónaí i dteach a thuistí.

Ba cheart dúinn an ceart a thabhairt do gach uile dhuine sa tír a phas a fháil, b'fhéidir cosúil leis an slí ina oibríonn logainmneacha timpeall na tíre sa chaoi go bhfuil ceart ag daoine a seoladh Gaelach a úsáid. Ba cheart dúinn an ceart a thabhairt do gach uile dhuine sa tír a pas a fháil, is cuma cén aois é níos.

**Deputy Dinny McGinley:** Is cinnte go bhfuil deacrachtaí ansin. Ón eolas atá agam fhéin mar Theachta Dála, agus ag deighleáil le hiarrataisí ar phasanna do dhaoine ins an dáilcheantar, tá a fhios agam go gcothaíonn sé deacrachtaí agus go nglacann Oifig na bPasanna i láthair na huaire leis an ainm atá ar an teastais breithe. Sílim gur sin an gnáth rud. Má tá tú ag iarraidh, mar a dúirt an Teachta Tóibín, do ainm a athrú go Gaeilge, nó Ghaeilge go Bearla, caithfidh tú cruthúnas a chur ar fáil go bhfuil tú ag baint úsáid go rialta as an leagan gur mhaith leat do phas a bheith ann. Caithfear bille de chineál éigin a chur a fáil, b'fhéidir cuntas banc, cuntas aibhléise nó a leithéid sin. Is cinnte go gcothaíonn sé deacrachtaí. Sílim féin go bhfuil sé réasúnta go leor má tá tú ag iarraidh do ainm a bheith ar do phas i nGaeilge nó i mBearla, go mbéifeábalta é sin a fháil.

Ach é sin ráite, ar ndóigh, caithfidh Oifig na bPasana a bheith an-chúramach mar is rud an-luachmhar pas. Má fhágann tú an tír agus gan an pas agat, is duine tú gan tír. Ní saoránach de aon tír thú. Mar sin, tá sé an-thábhachtach. Tá a fhios againn go raibh deacracht le pasanna san am a chuaigh thart agus go raibh daoine ag taisteal thart i dtír sa Mheán Oirthear agus in áiteacha eile agus pasanna de chuid na hÉireann acu. Tá sé an-dhian ach, mar a dúirt mé, ní hionann sin agus a rá nach cóir go mbeadh an ceart sin ag daoine.

Níor cuireadh aon fhoráil san Acht sa bhliain 2003 maidir le húsáid ainmneacha, sloinnte agus seolta i nGaeilge agus i mBéarla. B'fhéidir dur síleadh ag an am gur ceart bunúsach a bhí anseo agus nach raibh gá le foráil reachtúil a dheanamh ina leith, ach bíonn deacrachtaí ann. Tuigim ó Oifig an Choimisinéara Teanga go bhfuil ós chionn 400 cás ann go ndearna daoine teanghbháil leis an oifig ó bunaíodh í i 2004 maidir le fadhbanna a bhain le húsáid leaganacha Gaeilge de ainmneacha, sloinnte agus seolta.

Mar sin, is cinnte go bhfuil deacracht ann. Sílim go gcaithfidh muid gach iarracht a dhéanamh é a réiteach. Dá mbeadh gach rud foirfe, dá mbeadh an saol foirfe, ba chóir go mbéifeábalta do phas a fháil ins an teaga ar rogha leat fhéin é ach, mar a dúirt mé, tá na deacrachtaí beaga sin ann chomh fada agus a bhaineann sé le pas mar gur doiciméad chomh luachmhar agus chomh tábhachtach sin é.

**Deputy Peadar Tóibín:** An fhadhb atá ann, céad bliain ón am a bhain an taobh seo den tír neamhspleacas amach, ná go bhfuil bac fós ar dhaoine óga a n-ainmneacha Gaeilge a úsáid sa tír seo agus ba cheart go mbeadh slí ann don Ríaltas, agus don Aire Stáit, an fadhb seo a réiteach. Is rud an-tábhachtach é.

Freisin, tá daoine ina gcónaí sa Ghaeltacht atá ag iarraidh seirbhísí a fháil ó chomhlachtaí poiblí trí Ghaeilge agus fós tá ag teip ar na comhlachtaí sin na seirbhísí sin a fheidhmiú trí Ghaeilge sa Ghaeltacht. Ba cheart go mbeadh seirbhísí ar chomh-caighdeán le seirbhísí as Béarla sa Ghaeltacht. Má táimid ag iarraidh an Ghaeltacht a chaomhnú, caithfidh go mbeidh na seirbhísí fheabhsú ag an Ríaltas seo.

Tá fadhb eile ann freisin. Bhíos ag caint le duine cúpla láo shin mar gheall ar Chomhairle na nEalaíon. An bhfuil a fhios ag an Aire Stáit go bhfuil an comhairle ag obair le hÚdarás na

[Deputy Peadar Tóibín.]

Gaeltachta agus tá chomh-mhaoiniú le déanamh ag an údaras? Chuala mé go ndúirt an t-Aire Stáit go mbeadh sé in ann an scéal sin a shocrú. Ba mhaith liom a fháil amach cathain a mbeidh sé in ann an scéal sin a shocrú?

**Deputy Dinny McGinley:** Ar dtús, aontaíom go bhfuil sé de ceart ag an saoránach, nuair atá sé i mbun gnó leis an Stát seirbhís a fháil i nGaeilge nó i mBéarla, agus tá sé sin mar pháirt de Straitéis 20 Bliain don Ghaeilge a bhfuil cinneadh déanta ag an Rialtas é a chur i bhfeidhm. Má tá tú ag plé le Roinn nó le comhlacht Stáit, tá sé de cheart agat seirbhís a fháil i nGaeilge. Ar ndóigh, ba chóir go mbeadh sé le fáil ins na ceantair Gaeltachta, níl dabht faoi sin. Sin mar is ceart é a bheith.

Maidir le mo chontae fhéin, más féidir liom a bheith réigiúnach ar feadh tamaill, tá dílárnú déanta ar na hoifigí ag an chomhairle chontae i mo chontae fhéin. Ins an chomhairle chontae, agus go speisialta sna ceantair Gaeltachta, is féidir leat do ghnó a dhéanamh i nGaeilge nó i mBéarla. Sílim gur dul chun cinn é sin. Sílim gur sampla é sin den rud gur féidir a dhéanamh ar fud na tíre.

Ar an bpointe eile a bhí ag an Teachta maidir le hEalaín na Gaeltachta, sílim go bhfuil an-obair á dhéanamh ag Ealaín na Gaeltachta. Sílim go bhfaigheann siad €425,000 sa bhliain ó Údaras na Gaeltachta. Tá siad ag gníomhú ar fud na Gaeltachta. Mar a dúirt mé, bhí mé ag roinnt imeachtaí a rinne Ealaín na Gaeltachta airgeadú orthu le cúpla seachtain anuas. Tá comhráití ag dul ar aghaidh i láthair na huaire agus tá mise ag tnúth go mór go mbeadh socrú gan mhoill sa dóigh gur féidir le hEalaín na Gaeltachta leanúint ar aghaidh ag tabhairt tacaíochta, chomhairle agus cuidiú do na ealaíontóirí agus na grúpaí atá ag cur ealaíne agus obair chruthaitheach ar fáil ar fud na gceantar Gaeltachta ar fad.

Tuigim go bhfuil na comhráití ar siúl. Níl a fhíos agam an bhfuil cinneadh nó an bhfuil réiteach air go fóill, ach tá súil agam. Déarfaidh mé seo mar Aire Stáit, nach fada go mbeidh.

**Deputy Peadar Tóibín:** Cathain go mbeidh an chomhréiteach sin?

**Deputy Dinny McGinley:** Táimid anois thar lár na bliana. Níl a fhíos agam. Níl méábailta freagra cruinn a thabhairt. Geobhaidh mé amach agus cuirfidh mé in iúil don Teachta é chomh luath agus is féidir. Tá a fhios agam go bhfuil siad ag plé agus go bhfuil na comhráití ag dul ar aghaidh. Tá súil agam go mbeidh socrú agus réiteach déanta gan mhoill, muna bhfuil sé déanta cheana féin.

**Deputy Peadar Tóibín:** Ceist bheag mar gheall ar earcú sna chomhlachtaí phoiblí. An slí is fear leis an rud seo a réiteach maidir le seirbhísí a chur ar fáil ag na comhlachtaí phoiblí do mhuintir na Gaeltachta ná an córas earcaíochta a fheabhsú chun go mbeadh daoine le Gaeilge ag obair iontu. Sa slí sin ní bheadh aon chostas níos mó ag an Rialtas chun na seirbhísí a chur ar fáil.

**Deputy Dinny McGinley:** Tuigim.

**Deputy Peadar Tóibín:** An bhfuil plean ag an Rialtas chun níos mó daoine a earcú sna comhlachtaí phoiblí le Gaeilge líofa?

**Deputy Dinny McGinley:** Táimid chun na spriocanna atá ins an stráitéis a bhaint amach. Is cinnte go gcaithfear tabhairt faoin fhadhb sin agus go gcaithfidh na daoine a bheidh ansin a bheith ábalta an seirbhís a chur ar fáil.

Tá an Stát ag tabhairt tacaíochta don iarracht seo mar bíonn liúntas speisialta le fáil ar

seirbhísí poiblí a dheanann freastal ar cheantair Gaeltachta. Má tá liúntas speisialta á dhíol ba cheart go mbeadh sé ar chumas na ndaoíní atá fostaithe ag an Stát nó ag chomhlachtaí Stáit ins na Gaeltachtaí an tseirbhís a chur ar fáil trí Ghaeilge. Mar a dúirt mé, is páirt den straitéis é agus má tá deacrachtaí agus laigí ann, chaithfimid aghaidh a thabhairt orthu agus iad a chur i gceart. Déanfaimid é sna fiche bliain amach romhainn. Tá straitéis 20 bliain ann. Ach táimid ag ullmhú plean bliana i láthair na huaire agus táimid ag ullmhú plean trí bhliana, agus caithfear aghaidh a thabhairt ar an fhadhb sin aon áit a bhfuil deacrachtaí. Cuirtear in iúil don Coimisinéir Teanga go bhfuil deacrachtaí. Cuireann an Coimisinéir Teanga amach a chuid tuairiscí. Sílim go gcaithfimid áird a thabhairt air. Ach táimid dáirire faoin straitéis.

**Deputy Peadar Tóibín:** Ar rud an-bheag, bhí saghas stáidéar déanta, ceithre blian ó shin ceapaim, a dúirt go mbeadh an Ghaeltacht críochnaithe mar fhíor-Ghaeltacht i gceann 20 bliain.

Is rud an-tábhachtach agus práinneach é an rud atá ag tarlú agus impím ar an Aire Stáit tosaíocht a thabhairt don fhadhb seo chun í a réiteach chomh luath agus is féidir. Is féidir linn go léir nod a thabhairt do na pleananna atá déanta ag an Rialtas atá thart, ach ní leor dúinn na pleananna agus caithfimid rudaí a dhéanamh anois. Caithfimid daoine a earcú chun go mbeidh seirbhísí trí Ghaeilge ag feidhmiú sa Ghaeltacht as seo amach.

**Deputy Dinny McGinley:** Ba mhaith liom a chur in iúl don Teachta, muna bhfuil a fhios aige cheana féin, go bhfuil an Rialtas i ndáiríre agus go bhfuil coiste Rialtais bunaithe faoi chaothaoirleacht an Taoisigh. Bhí dhá cruinniú ag an coiste Rialtais go dtí seo agus tá cinntí déanta dul ar aghaidh leis an straitéis. Tá cinneadh déanta go mbeidh Údarás na Gaeltachta ann agus go mbeidh feidhmeanna fiontraíochta ag an údarás. Táthar ag tabhairt freagrachta don Roinn féin do chur cinn na Gaeilge agus an straitéis ar fud na tíre. Tá ról ag Údarás na Gaeltachta i gcur chun cinn na straitéise sa Ghaeltacht, chomh maith le fiontraíocht agus fostaíocht. Beidh Foras na Gaeilge ag teacht isteach agus feicfimid go mbeidh comhoibriú eatarthu go léir. Tá coistí agus oifig i mo Roinn agus sa Roinn Oideachais agus sna Ranna eile a bhfuil suim acu sa cheist seo agus tá an obair ag dul ar aghaidh lá i ndiaidh lae. Tá cinn an Bhille á ullmhú i láthair na huaire agus beidh sé foilsithe gan mhoill. Is cinnte go mbeidh sé foilsithe i bhfad roimh dheireadh na bliana seo. Táim fein ag tnúth go mór go mbeidh Bille úr Gaeilge reachtaithe sa Teach seo roimh bhliain ó inniu. Muna dtarlaíonn sin, beidh dfoma orm.

### Limistéir Gaeltachta

8. D'fhiafraigh **Mary Lou McDonald** den Aire Ealaíon; Oidhreachta agus Gaeltachta cad é mar atá ag éirí le plean an Teachta Dála Frank Feighan Gaeltacht nua a chruthú ar Chliara; agus an ndéanfaidh sé ráiteas ina thaobh. [21786/11]

**Deputy Dinny McGinley:** Mar is eol don Teach, rinne mo chomhghleacaí, an Teachta Frank Feighan, moladh anuraidh, agus é mar urlabhraí Gaeltachta ag an am ag Fine Gael, go ndéanfaí iarracht an Ghaeilge a láidriú ar Oileán Chliara i gContae Mhaigh Eo.

Mar thoradh ar na cinntí polasaí a tógadh ag an gcruinniú Rialtais ar 31 Bealtaine 2011, déanfar foráil do shainmhíniú ar an nGaeltacht faoin mBille Gaeltachta. Faoin sainmhíniú don Ghaeltacht, beidh deis ag pobail éagsúla ar fud na tíre, Oileán Chliara san áireamh, a bheith áirithe sa Ghaeltacht, más féidir leo pleananna teanga a ullmhú agus a chur i bhfeidhm.

Beidh an sainmhíniú don Ghaeltacht bunaithe ar chritéir theangeolaíoch le hais an tsainmhíne atá bunaithe ar cheantair thíreolaíoch faoi láthair. Chomh maith leis sin, déanfar foráil faoin mBille Gaeltachta do bhailte seirbhíse Gaeltachta a dhéanann freastal ar cheantair Gaeltachta agus do cheantair “Gaeltacht gréasáin” atá taobh amuigh den Ghaeltacht mar atá

[Deputy Dinny McGinley.]

sí faoi láthair. Is ceantair iad seo ina bhfuil an mhais chriticiúil riachtanach de thacaíocht Stáit agus pobail acu don Ghaeilge.

Tá na cinn don Bhille Gaeltachta á ndréachtú ag mo Roinn faoi láthair agus táim ag súil go mbeidh an Bille foilsithe roimh dheireadh na bliana, ag brath ar chhlár reachtaíochta an Rialtais.

**Deputy Peadar Tóibín:** Mar a dúirt an tAire Stáit, dúirt an Teachta Frank Feighan ar son Fhine Gael, go raibh sé chun Gaeltacht nua a bhunú ar Oileán Chliara. Ag an am, cheap a lán daoine gur seift sealadach a bhí ann agus nach raibh an Teachta i ndáiríre mar bhí sé ainmnithe mar urlabhraí Gaeltachta agus ní raibh Gaeilge aige. Cad atá déanta ag an Teachta Feighan chun an Ghaeltacht a bhunú ar oileán Chliara, mar a dúirt sé, agus cad atá déanta ag Fine Gael chun Gaeltacht a bhunú ar an oileán chomh maith? Dúirt an Teachta Feighan freisin, go raibh sé chun scrúdú Gaeilge a dhéanamh san ardteist i mbliana. Conas ar éirigh leis san ardteist agus an bhfuil sé ag tnúth le torthaí maithe ag deireadh mhí Lúnasa?

Maidir leis an ionsaí gnéis a tharla i na Doirí Beaga — táim cinnte go n-aontaíonn an tAire Stáit gur eachtra uafásach a bhí ann — cén córas atá ag an Rialtas chun daoine óga a fhreastalaíonn ar choláistí samhraidh a chosaint? An bhfuil córas láidir ann agus an mbeadh muid sásta go bhfuil an córas sin ag obair?

**Deputy Dinny McGinley:** Maidir le hOileán Chliara, bhí sé sna meáin go ndúirt an Teachta Feighan gur mhaith leis go mbeadh Oileán Chliara aitheanta mar cheantar Gaeltachta. Bhí mé féin in Oileán Chliara cúpla seachtain ó shin nuair a thug mé cuairt ar an oileán don chéad uair agus caithfidh mé a rá go ndeachaigh i bhfeidhm go mór orm. Casadh an pobal ann orm agus bhí an-mholadh acu don mhéid a bhí le rá ag an Teachta Feighan nuair a bhí sé ina urlabhraí ar chúrsaí Gaeltachta.

**Deputy Peadar Tóibín:** An bhfuil aon rud déanta aige?

**Deputy Dinny McGinley:** Is Teachta anois é. Is cinnte go bhfuil rud déanta. Mar adúirt mé, leis an straitéis 20 bliain beidh deis ag ceantair taobh amuigh den Ghaeltacht, ar fud na tíre, pleananna teanga a chur chun tosaigh leis an teanga a fhorbairt. Beidh an deis chéanna ag Oileán Chliara. Dúirt mé leo, máeiríonn leo plean teanga a chur ar aghaidh — beidh tacaíocht, cuidiú agus comhairle ar fáil dóibh le sin a dhéanamh — níl aon fáth nach nglacfar isteach mar Ghaeltacht iad. Ní féidir liomsa ná le haon Aire eile suí síos agus m'ainm a chur le pár agus a rá go bhfuil siad seo sa Ghaeltacht. Caithfidh pobal a chruthú go bhfuil an teanga á labhairt agus áúsáid lá i ndiaidh lae.

**Deputy Peadar Tóibín:** Tá sé cruthaithe.

**Deputy Dinny McGinley:** Mar a dúirt mé, is cuid de chroí na straitéise go mbeidh deis ag ceantair taobh amuigh den Ghaeltacht, cosúil le hOileán Chliara agus ceantair eile ar fud na tíre, b'fhéidir i ndáilcheantar an Teachta Tóibín i gContae na Mí, má tá suim, acu a theacht isteach agus na “Gaeltachtaí gréasáin” seo atá luaithe go sonrach sa straitéis a chur i bhfeidhm.

**Acting Chairman (Deputy Peter Mathews):** An chéad ceist eile. Gabh mo leithscéal.

**Deputy Dinny McGinley:** Maidir leis an ardteist, níl tuairim agam faoi sin. Caithfidh an Teachta féin an cheist sin a chur ar an Teachta Feighan.

**Deputy Peadar Tóibín:** Níl faic déanta aige.



**Deputy Dinny McGinley:** Ach dá mbeinn féin chun an ardeist a dhéanamh i mbliana, bheinn chomh gnóthach sin le toghchánaíocht agus le fáil isteach anseo go gcuirfeadh sin isteach ar mo chuid staidéir agus ní bheinn in ann dul faoi scrúdú.

**Acting Chairman (Deputy Peter Mathews):** We will take the next question.

**Deputy Michael P. Kitt:** Tá suil agam nach bhfuil an plean a bhí ag an Teachta Feighan cosúil leis an plean a bhí ann don ospidéal i Ros Comáin. Cén chaoi a chuirfear tús le Gaeltacht nua in aon áit, cosúil leis an Ghaeltacht ar Oilean Chliara?

**Deputy Dinny McGinley:** Is feidir é a dhéanamh agus tá sin luaite sa straitéis 20 bliain. Caithfidh gach ceantar agus pobal Gaeltachta plean forbartha teanga a chur ar fáil. Má dhéanann siad é sin, is féidir iad a aithint. Beidh dhá bhliain acu chun an plean forbartha a dhéanamh agus ansin déanfar measúnú air, b'fhéidir thar cúig bliana nó seacht mbliana. Mar adúirt mé sa fhreagra, i láthair na huaire tá na ceantair Gaeltachta bunaithe ar cheantair tíreolaíochta. Ó seo amach — nuair a rachaidh an Bille Gaeltachta tríd an Oireachtas — beidh na ceantair Gaeltachta bunaithe ar an teanga agus ar chumas na ndaoine sna ceantair an teanga a labhairt. Beidh sí teanga-bhunaithe, ní ar bhonn tíreolaíochta. Má bhíonn ceantar ar bith, nach bhfuil sa Ghaeltacht i láthair na huaire, sásta a rá go mba mhaith leis go mbeadh na seirbhísí sa cheantar sin trí Ghaeilge mar go bhfuil pobal Gaeltachta ann, tuig leis an pobal sin plean a chur ar agaidh. Measófar an plean sin agus ansin, is féidir an ceantar a ghlacadh isteach sna gréasáin Gaeltachta atá luaite go sonrach sa straitéis 20 bliain. Is cinnte gur dúshlán mór é, ach beidh deis ag ceantair é sin a dhéanamh.

Mar shampla, tá ceantar i nDoire a bhain Glór na nGael ag a bhfuil dul chun cinn íontach déanta aige. D'fhéadfaí a rá gur Gaeltacht atá ann, i gContae Doire. Sampla é sin den rud gur féidir a dhéanamh. Bheinn ag súil, nuair a bheidh an Bille tríd, i gceann cúpla bliain go mbeidh an Ghaeltacht níos leithne mar atá sí anois, agus go mbeidh ceantair beaga Gaeltachta anseo agus ansiúd, áiteanna ina mbeidh corpus sonrach de chainteoirí a úsáideann an Ghaeilge ó lá go lae, b'fhéidir gaelscoil, gaelcholaistí, seirbhísí eaglaise agus seirbhísí eile. Cén fáth go gcuirfeadh muid teorainneacha le leathnú na Gaeltachta?

**Deputy Peadar Tóibín:** Is trua a rá nach bhfuil faic déanta ag an Teachta Feighan mar gheall ar an ngeallúint a thug sé Gaeltacht a chruthú ar Oileán Chliara. Tá a fhios agam nach mbaineann an fhadhb seo leis an Aire Stáit. Níl faic déanta ag an Teachta Feighan. Tar éis na ionsaithe gnéis a tharla sna Doirí Beaga, an bhfuil an Aire Stáit sásta go bhfuil córas ann anois chun páistí a chosaint sna coláistí samhraidh?

**Acting Chairman (Deputy Peter Mathews):** Tá a lán ceisteanna againn.

**Deputy Peadar Tóibín:** Is ceist tábhachtach é.

**Deputy Dinny McGinley:** Níl an cheist a chur an Teachta ar an gelár. Is mian liom a rá, mar Theachta Dála, gur uafásach an rud a tharla. Tá sé cáinte agam ar TG4 agus ar meáin eile. Tá an Rialtas an-ínníoch faoi mar a cuireadh cúram do pháistí roimhe seo. Is é sin an fáth go bhfuil Aire speisialta ceaptha ag an Rialtas chun cúramaí linbh agus páistí a chomhlíonadh. Tá Bille á n-ullmhú a thabharfaidh stádas reachtúil do chosaint páistí.

### Údarás na Gaeltachta

9. D'fhiafraigh **Michael P. Kitt** den Aire Ealaíon; Oidhreacht agus Gaeltachta cén plean atá aige níos mó fostaíochta a chur ar fáil sa Ghaeltacht; agus an ndéanfaidh sé ráiteas ina thaobh. [21803/11]

12. D'fhiafraigh **Gerry Adams** den Aire Ealaíon; Oidhreacht agus Gaeltachta cé mhéad post nua atá cruthaithe ag Údarás na Gaeltachta sna chéad sé mhí den bhliain seo; cé mhéad atá caillte; cad é an buiséad a bhí ag Údarás na Gaeltachta in aghaidh gach ceann de na 4 bliana atá thart agus cén buiséad a bheidh ag Údarás na Gaeltachta in aghaidh na bliana sna 4 bliana atá le teacht; agus an ndéanfaidh sé ráiteas ina thaobh. [21787/11]

**Deputy Dinny McGinley:** Tógfaidh mé Ceisteanna Uimh. 9 agus 12 le chéile.

Tuigim ó Údarás na Gaeltachta go ndéantar suirbhé fostaíochta ag deireadh gach bliana ar a chuid cliant-chuideachtaí. Mar gheall ar seo, ní bheidh na figiúirí maidir leis an líon post atá cruthaithe nó caillte i 2011 ar fáil go dtí go bhfoilseofar torthaí an chéad suirbhé eile go luath i 2012. Tá briseadh síos ar bhuiséad an údaráis do na blianta 2008 go 2011 léirithe sa tábla atá ceangailte leis an bhfreagra seo. Chomh maith leis an maoiniú a fhaigheann an t-údarás ón Státhiste, ní miste a lua go mbíonn teacht isteach ag an údarás ó fhoinsí eile, mar shampla ioncam ó dhíol sócmhainní agus scaireanna agus ioncam ó léasanna agus ó chíosanna.

	2008 € '000	2009 € '000	*2010 € '000	*2011 € '000
Ioncam ón Stát	44,054	37,635	32,915	19,650
Ioncam ó dhíol sócmhainní	6,164	2,272	2,970	7,500
Ioncam eile	8,218	11,380	7,783	6,730
Iomlán	58,436	51,287	43,668	33,880

\* Figiúirí measta

Níl de rogha ag an Rialtas, mar gheall ar chúinsí eacnamaíocha reatha, ach féachaint go géar ar gach uile líne caiteachais Stáit faoin athbhreithniú cuimsitheach caiteachais atá ar siúl i láthair na huaire. Is sa chomhthéacs sin, agus i gcomhthéacs an phróisis meastachán, a dhéanfar cinntí sonracha maidir leis an soláthar a bheidh ar fáil don údarás ón Státhiste i 2012 agus na blianta ina dhiaidh sin. É sin ráite, aithním go maith na deacrachtaí atá cruthaithe d'Údarás na Gaeltachta mar gheall ar chinneadh an Rialtais dheireanaigh an soláthar airgid caipitil ón Státhiste a laghdú ó €18 milliún i 2010 go €6 mhilliún i 2011. Mar is eol don Teach, thóg an Rialtas cinntí sonracha polasaí i mí na Bealtaine maidir le struchtúr agus feidhmeanna Údarás na Gaeltachta. Mar thoradh ar na cinntí sin, tá sé i gceist go mbeidh cumhacht reachtúil ag an Aire Ealaíon, Oidhreacht agus Gaeltachta treoir a thabhairt don údarás a chuid acmhainní teoranta a dhíriú i dtreo earnálacha fiontraíochta ar leith. Chomh maith leis sin, déanfar meicníocht a fhorbairt chun go mbeidh an t-údarás in ann comhoibriú le háisíneachtaí forbartha Stáit eile i gcás tionscadail shuntasacha Ghaeltachta a bhfuil poitéinseal ard ag baint leo. Mar thoradh ar an geur chuige seo, táthar ag súil go mbeidh an luach is fearr ar airgead, agus an toradh is fearr fostaíochta ann don Ghaeltacht, ó na hacmhainní teoranta atá ar fáil don Stát san aeráid eacnamaíochta reatha.

**Deputy Michael P. Kitt:** Tuigim go bhfuil gearradh siar déanta ar an mbuiséad. Mar a dúirt mé ag an gcoiste, tá airgead faighte ón levy pinsin. Tá a fhios ag an Aire go bhfuil níos mó ná míle post á chruthú ag an údarás gach bliain. An mbeidh an Aire Stáit in ann airgead a fháil ón levy sin, nó b'fhéidir ón jobs initiative, chun postanna nua a chruthú?

**Deputy Dinny McGinley:** Tá cainteanna agus comhráite maidir leis na Meastúcháin ag dul ar aghaidh. Mar a dúirt mé sa fhreagra, tháinig titim tubaisteach ar chaiteachas chaipitil an údaráis le roinnt blianta anuas. Cuireadh allúntas de €26 milliún ar fáil d'Údarás na Gaeltachta i 2008. D'úsáideadh an airgead caipitil sin chun fostaíocht, monarchana agus tionsclaíocht a bhunú sna ceantair Gaeltachta. Thit an figiúr sin go dtí €16 milliún, go dtí €10 milliún agus ar deireadh go dtí €6 mhilliún i mbliana. Is féidir a rá, dá bhrí sin, go bhfuil géarchéim airgeadais

ag an údarás i láthair na huaire, chomh fada agus a bhaineann sé leis an deontas caipitil. Tá obair iontach déanta ag Údarás na Gaeltachta. Tá breis agus 7,000 duine ag obair i gceantair Gaeltachta ó Dhún na nGall go Ciarraí agus Corcaigh, agus ó Chontae Phort Láirge go Contae na Mí—

**Deputy Michael P. Kitt:** Cad faoin nGaillimh?

**Deputy Dinny McGinley:** —i gcomhlachtaí a fuair tacaíocht ó Údarás na Gaeltachta. Tá sé aitheanta sa straitéis 20 bliain agus ag an Rialtas nua go mbeidh ról fiontraíochta ag an údarás. Tá sé tábhachtach go bhfuil sé sa reachtaíocht go gcoinneoidh an údarás an ról sin. Beimid ag lorg an oiread airgead agus acmhainní agus is féidir a fháil. Ní féidir linn an chluas bhodhar, nó an súil dall, a thabhairt don aeráid eacnamaíochta atá againn faoin láthair. Déanfaimid ár ndícheall oiread agus is féidir a dhéanamh ionas gur féidir leis an údarás leanúint ar aghaidh leis an obair iontach atá ar siúl acu. Tá na Meastúcháin á phlé againn faoi láthair. Nuair a thiofadh an cáinfhaisnéis amach roimh deireadh na bliana, beidh a fhios againn go díreach cad a bheidh ar fáil. Mar duine ón nGaeltacht, tá a fhios agam go gcaithfidimid gach rud is féidir a dhéanamh chun cúnaimh a thabhairt don údarás. Tuigeann an Teachta Ó Ceit agus na Teachtaí eile atá i láthair an tábhacht leis an méid sin. Bhí an t-údarás in ann acmhainní a dhíol agus breis airgid a fháil i mbliana. Gan é sin, bheadh an cás go dona ar fad. Beidh deis acu é sin a dhéanamh sna blianta atá amach romhainn chomh maith.

**Deputy Michael P. Kitt:** D'iarr Conradh na Gaeilge cén fáth gur fógraíodh go mbeadh comhoibriú foirmeálta idir Údarás na Gaeltachta, IDA Ireland agus Fiontraíocht Éireann amach anseo. Tá caidreamh oibre eatarthu — ní rud nua é. Cén uair a bheidh príomhfheidhmeannach nua á cheapadh ar an údarás?

**Deputy Dinny McGinley:** Tá príomhfheidhmeannach sealadach ag gníomhú. Tá an-eolas agus an-taithí aige ar obair an údaráis. Tá sé ansin leis na blianta. Rinne sé gaisce mór fostaíocht a thabhairt isteach go dtí an Ghaeltacht. Mar a dúirt mé, tá iarratas curtha isteach ag an Roinn Ealaíon, Oidhreacht agus Gaeltachta ar an Roinn Airgeadais i láthair na huaire, ag iarraidh cead príomhfheidhmeannach úr ar Údarás na Gaeltachta a cheapadh. Tá mé dóchasach go mbeidh toradh dearfach ar an iarratas sin sa ghearrthéarma. Os rud é go bhfuil ról fiontraíochta ag an t-údarás, agus ról lárnach sa straitéis 20 bliain, tá sé tábhachtach go mbeadh príomhfheidhmeannach buan, le téarma buan, in áit. Aontaím leis an Teachta go bhfuil sé tábhachtach go dtarlódh a leithéid. Tá an t-iarratas á mheas. Tá mé dóchasach go mbeidh toradh maith air gan mhoill.

**Deputy Michael P. Kitt:** Chuir mé ceist freisin maidir leis an gcomhoibriú idir Údarás na Gaeltachta, IDA Ireland agus Fiontraíocht Éireann. Tá an caidreamh sin ann. Ní rud nua é. Níl a fhios agam cén fáth go bhfuil plé mór á dhéanamh air.

**Deputy Dinny McGinley:** Ní fheicim cén fáth go bhfuil plé mór á dhéanamh. Is cinnte go bhfuil comhthuiscint i gcónaí idir Údarás na Gaeltachta, Fiontraíocht Éireann agus an t-údarás tionsclaíochta. Tá sé sin ag dul ar aghaidh. Dúirt feidhmeannaigh Údarás na Gaeltachta liom go bhfuil an caidreamh idir iad fhéin agus na heagraíochtaí náisiúnta thar barr. Tá an comhoibriú go hiontach. Cuireann siad fáilte roimhe go mbeidh an caidreamh sin foirmeálta. Tá sé neamhfhoirmeálta faoi láthair. Tá memorandum of understanding eatarthu. Ar ndóigh, tá an cuspóir céanna — fostaíocht a thabhairt isteach — acu go léir. Más féidir le Fiontraíocht Éireann comhairle a chur ar an údarás, nó más féidir leis an údarás moladh a thabhairt d'Fiontraíocht Éireann, agus iad ag obair as lámh a chéile, is cinnte go rachfaidh sé chun sochair don Ghaeltacht. Níl siad ag iomaíocht le chéile. Tá siad ag cuidiú agus ag comhoibriú le chéile ar mhaithe le fostaíocht a chur ar fáil ar fud na tíre, an Ghaeltacht san áireamh. Tá mé thar a

[Deputy Dinny McGinley.]

bheith sásta go mbeidh toradh fóna ar an gcomhoibriú sin nuair a bheidh an Bille tríd agus na socrúithe foirmeáilte. Ní dóigh liom go bhfuil aon dochar nó aon contúirt don údarás ansin. Tuigim as na comhráite a bhí agam leo go gcuireann siad fáilte roimhe.

**Deputy Peadar Tóibín:** Tá titim uafásach ar an méid airgid atá ag an údarás anois. Ní de thimpist é go bhfuil an titim seo ag tarlú ag an am a bhfuil ceangal idir an údarás agus an pobal á bhriseadh ag an Rialtas. Tá ar an Oireachtas níos mó aird a thabhairt ar arigeadú agus ar threoir an údaráis.

Anois, nuair atá cúlú eacnamaíochta ag tarlú, ba cheart don Rialtas níos mó airgid a thabhairt do Údarás na Gaeltachta. Tá daoine ins na gaeltachtaí ag cailliúint a bpost agus ag dul ar imirce. Tá daoine sa Ghaeltachta a bhfuil smaointíontacha gnó acu ach nach bhfuil airgead acu, mar gheall ar an stad ar fhéidireachtaí. Níl aon airgead acu chun gnó a bhunú. Seo an t-am gur ceart don Rialtas airgead a thabhairt do dhaoine a bhfuil smaointí acu agus taithí acu ar chúrsaí gnó.

Is rud uafásach é go bhfuil airgead ann ach go bhfuil sé ag dul go dtí an Eorap. Tá bainc príobháideacha ag tógaint airgid as pócaí mhuintir na hÉireann agus tá muintir na Gaeltachta ag dul ar imirce toisc nach bhfuil an Rialtas sásta an t-airgead a thabhairt dóibh chun gnó a bhunú.

Chun muinín a thabhairt do mhuintir na Gaeltachta maidir le cúrsaí eacnamaíochta na Gaeltachta, an bhfuil an t-Aire sásta a rá leis an Teach go mbeidh sé in ann an méid airgid atá ag dul isteach go dtí an t-údarás a árdú sna todhcháí?

**An Leas-Cheann Comhairle:** Níl an Ghaeilge agam ar an nath cainte “poacher turned game-keeper”, ach sin atáá dhéanamh agamsa anois.

**Deputy Peadar Tóibín:** Chonaic mé é sin.

**An Leas-Cheann Comhairle:** Níl ach noiméid fágtha.

**Deputy Dinny McGinley:** Tuigim an méid atáá rá ag an Teachta. Tá sé ráite agam féin go bhfuil deacrachtaí ag an údarás i láthair na huair de bharr an ghearradh siar tubaisteach a cuireadh ar achmhainní an údaráis le roinnt blianta anuas. Mar shampla, sa bhliain 2008 cuireadh iomlán de €58.5 milliúin ar fáil. I mbliana, cuireadh €33.8 milliúin ar fáil. Is mór an titim é sin. Sin an t-iomlán den deontas caipitil agus den deontas reatha. Is é an ceann is tromchúisí ar fad ná an deontas caipitil de €6 mhilliúin. Is cinnte go gcuireann sin laincis ar an údarás.

Ta polasaithe fostaíochta ag an Rialtas. Tá beagnach 500,000 duine dí-fhostaithe agus táimid ag iarraidh an figiúr sin a ísliú. Tá mise dóchasach, ó na cainteanna a bhí agam le hAírí, má thagann éinne chun tosaigh agus scéim aige le fostaíocht a chur ar fáil ins an Ghaeltacht go mbeidh tacaíocht, comhairle agus gach cuidiú le fáil ó Údarás na Gaeltachta. Tá dí-fhostaíocht ar fud na tíre agus sa Ghaeltacht féin. Tá sé iontach tábhachtach go mbeadh daoine fostaíthe sa Ghaeltacht. Muna bhfuil fostaíocht ní bheidh daoine agus muna bhfuil daoine ní bheidh teanga. Tá siad uilig ag brath ar a chéile.

Déanfaimid ár ndícheall chun fostaíocht a chothú, ach ní thig linn dearmad a dhéanamh den ghanntanas airgid agus den ghéarchéim eacnamaíochta. Tá fhoinsí féin ag an Teachta maidir le díol ar ais iasachtaí agus mar sin. Sílim go bhfuil sé socráithe ag muintir na tíre an treo a bhfuilimid ag dul. Tá an Taoiseach ins an Eorap agus ceannairí eile ar fud na hEorpa i gcomhráit leis. Tá súil agam go dtiocfaidh siad ar réiteach a thabharfaidh faoiseamh dúinne chun dul ar aghaidh, tabhairt faoi na deacrachtaí eacnamaíochta agus iad a réiteach ins an am atá amach romhainn.

Tá an Rialtas in Oifig le ceithre mhí. An oidhreacht a fágadh againn, ní raibh sí ró-fhlaitiúil nó ró-iontach. Nuair a bheimid ag fágáil oidhreachta inár ndiaidh, cibé uair a tharlóidh sé sin, tá súil agam go mbeidh sé níos fiúntaí agus níos flaitiúla ná an oidhreacht a fuair muid féin tá ceithre mhíó shin.

*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 Robert Troy — the need to examine the way in which rates are charged to businesses; (2) Deputy Bernard J. Durkan — the need to amend legislation to provide accommodation to persons becoming homeless through being made redundant; (3) Deputy Michelle Mulherin — the need to confirm DEIS status for Inver national school, Barnatra, Ballina, County Mayo; (4) Deputy Brendan Griffin — the need for a new primary school building at Blennerville, Tralee, County Kerry; (5) Deputy James Bannon — the need to review the decision which has led to the suppression of the posts of resource teacher for travellers and the rural co-ordinator for disadvantage at St Mary's national school, Edgeworthstown, County Longford; (6) Deputy Mary Lou McDonald — the need to publish the Cahill-Frontier report in advance of the completion of the comprehensive spending review process; (7) Deputy David Stanton — the provision of an ambulance service for Youghal, County Cork; and (8) Deputy Peter Mathews — the imminent €19 billion recapitalisation of the banks.

The matters raised by Deputies Peter Mathews, Robert Troy and Bernard J. Durkan have been selected for discussion.

### **Adjournment Debate**

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### **Banks Recapitalisation**

**Deputy Peter Mathews:** Today is an important day for this country, on which it is being represented by its Taoiseach in Brussels. He is one of the Heads of State or Government of 27 nations who convene in Brussels to address the European euro, banking and fiscal crises. The severe symptoms presented themselves in the five countries known as the PIIGS, namely, Portugal, Ireland, Italy, Greece and Spain. Ireland completed its quarterly review under the EU-IMF support programme only last week and received good marks across all the boxes. Ireland has reached the targets of fiscal correction and reform to the extent this now is under way. Earlier today, the Dáil completed the Second Stage debate on the Central Bank and Credit Institutions (Resolution) (No. 2) Bill, which will now proceed to Committee Stage. This shows that discipline is returning to Ireland's fiscal affairs following the change of government.

As part of the support programme, Ireland faces the imminent €19 billion recapitalisation of the banks. Because a critical point has been reached in respect of Europe's addressing European problems with a European solution, it may be timely to pause, reflect and consider the implications of the €19 billion recapitalisation as laid out in the EU-IMF-ECB agreement. When that agreement was signed in November 2010, there was an extremely poor understanding of the amount of losses that had occurred in the Irish banking system. It was only as recently as the end of March, following completion of the prudential capital assessment review, that the enormity and scale of the losses was determined at approximately €70 billion. Some people, including myself when I put on my accountancy and banking and finance hats, consider that

[Deputy Peter Mathews.]

figure possibly to be on the short side. The reason this is important in the context of the €19 billion recapitalisation concerns the funding of our banking system and our banks, which are being coalesced into two pillar banks, leaving aside the banks for resolution, namely, Irish Nationwide Building Society and Anglo Irish Bank. It is because the original six banks, now merging into two, owe obligations of approximately €150 billion to the ECB and the Central Bank of Ireland, which is proxy for the ECB. Included in the aforementioned €150 billion is approximately €70 billion that has its provenance from the redemption in full of senior bondholders up the end of last year, during the course of 12 months when there had not been an admission or a recognition of the scale of loan losses in the banking system. Consequently, by default or by a lack of proper understanding or perhaps by design but as a matter of fact, €70 billion within the €150 billion funding the banks through the ECB derived from redemption of senior bondholders.

Capitalisation of a banking system can happen by direct capital injection, of which, within the €19 billion, €10 billion will come from the National Pensions Reserve Fund. However, it may be timely to reconsider whether it might be better to present an insistent and persistent case to the ECB that a write-down of debt owed to the ECB could be negotiated.

This is in addition to what we have all heard about an interest rate reduction on the support funds being advanced by the eurofunds.

Since negotiations with Europe and the ECB are ongoing it would be very important to be able to achieve a change in the capitalisation strategy in order to preserve that €10 billion of cash in the National Pensions Reserve Fund, to be used as a cushion for the fiscal adjustments over the next four years under the relief programme of €50 billion. This would be very important because a creditor write-down of €50 billion from the ECB, €25 billion from the private creditors of bondholders and pro-note holders, could, in turn, be passed on to the customers of banks in the form of households and businesses, which would relieve customers, households and businesses, hugely. This would also create a stimulus to the economy which would get the real economy moving again.

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** I thank the Deputy for raising this matter. We all recognise his expertise in these matters since he became a Member of the House and before.

In recent months the Department of Finance and the banking unit of the NTMA have been working hard to ensure that our commitments on recapitalising our banks are met by the appropriate deadline which is 31 July 2011. Given that the last day of this month is a Sunday, in practical terms this means having this work completed by Friday next, 29 July 2011.

The House will know that the stress tests announced last March by the Central Bank determined that our banks required another €24 billion of capital to meet their new regulatory requirements. The Government indicated at the time that a significant portion of this amount — at least €5 billion — would come from private sources as result of liability management exercises with junior bondholders.

The Minister for Finance confirms that well in excess of €4 billion of such burden-sharing has been achieved with holders of subordinated bonds and we are well on track to reach the aforementioned target of €5 billion. This leaves a sum of up to €19 billion which must be largely met by the taxpayer. I will update the House on where we stand with regard to this investment.

Allied Irish Banks merged with the EBS on Friday, 1 July 2011 and the recapitalisation plan for the combined entity was announced the same day. The combined capital requirements of the two institutions are €14.8 billion. Under the plan, the National Pensions Reserve Fund

Commission will inject €5 billion in equity capital at a price of 1 cent per share, bringing its shareholding to 99.8%. The State will also inject €1.6 billion in contingent capital. Following the imminent completion of burden-sharing with subordinated debt-holders, which is expected to generate a total capital gain in the region of €2 billion, the remaining capital requirements will be met by way of a capital contribution. An extraordinary general meeting to approve the capital raising is scheduled for 26 July and the funds are expected to be injected shortly afterwards.

The recapitalisation plan for Irish Life & Permanent was put forward by the board to shareholders of the institution yesterday and was rejected. Under the plan, the Minister for Finance was to subscribe for €2.3 billion of equity at a price of 6.3 cent which was a 10% discount to the market price on 23 June. This would have given the State a shareholding of 99.2%. The Minister was also to contribute contingent capital of €0.4 billion. The balance of the bank's PCAR requirement was to be made up of €200 million from internal resources, and an estimated €1.1 billion from the combined benefits of the bank's liability management exercises and the disposal of Irish Life. Following the rejection of these proposals by shareholders, the Minister for Finance intends to review the options open to him in light of our imminent obligations both to the Central Bank and the external partners.

In the case of Bank of Ireland, of its €4.2 billion capital requirement, just under €2 billion has to date been achieved through a liability management exercise. A rights issue is currently under way to raise circa €1.9 billion and this is fully underwritten by the NPRFC at a price of 10 cent per share. The balance of the PCAR requirement will be made up of contingent capital of €1 billion, for which the Minister for Finance will subscribe and further burden-sharing measures linked to the remaining junior debt outstanding. Depending on how the take-up goes in the rights issue and assuming no other third party takes up the shares in the bank, the State's shareholding will end up anywhere between 29.2% and 69.7% in the bank compared to 36% today.

The House will be aware that the state of bank balance sheets is not just a topical subject in this jurisdiction. The issue has been debated extensively across Europe and indeed beyond. The recently announced European stress tests were specifically designed to address concerns that European banks were under-capitalised in light of current economic conditions and market circumstances. In the end, only eight banks were found to have a capital need under the test with the combined shortfall identified as being €2.5 billion. However, it is acknowledged that had it not been for the €50 billion in equity capital that was raised by European banks earlier this year, the tests would have identified a far bigger requirement. Our banks passed the EBA stress test as we had moved early to analyse the banks' books in great detail, using a level of granularity far beyond what was involved in the European tests.

The EBA methodology included a number of differences relative to that applied in the recent PCAR exercise. The PCAR was tailored specifically to the Irish banks' need to reduce their reliance on external funding over the coming three years, while the EU-wide test looks at the resilience of the largest European banks against a set of more widely applicable adverse circumstances.

The EBA stress test set a 5% core tier 1 capital requirement in the stress scenario, while a level of 6% was applied in PCAR. The PCAR was applied on a three year horizon from 2011-2013 compared to the two year 2011-2012 timeline applied by the EBA. There were also significant differences in the application of future changes in the balance sheet; application of funding constraints and treatment of sovereign and bank credit losses. Loan losses independently forecast by BlackRock Solutions as part of the PCAR were also applied to Irish banks participating in the EU-wide stress test.

[Deputy Dinny McGinley.]

In summary once our recapitalisation and indeed restructuring commitments are met by amounts which are clearly within the envelope of the external authorities funding programme, Irish banks will be among the best capitalised banks in Europe and in a far stronger position to return to the markets for funding and to meet the needs of the Irish economy.

### **Local Authority Charges**

**Deputy Robert Troy:** I raise this issue which is very important to ratepayers the length and breadth of the country and not just to those of County Westmeath or County Longford. As recently as a number of weeks ago, a group has formed called, Employers for Affordable Rates. This group is initiating a campaign to lobby the Government to introduce new measures. By the time the House returns in September, the debate will have started at a local level when it comes to the setting of the county council annual rates. There is a misconception that a reduction of 1% to 4% in the county council rates would benefit businesses but this will not benefit small businesses. The only people to benefit will be large multinational companies.

The method of funding for local authorities needs to be examined. The business community requires a more fair and equitable system. We all know that local authorities are obliged by law to levy rates on commercial properties which have been entered in the valuation list by the independent Commissioner of Valuation. At present this system is draconian, inequitable and unfair. The valuation list used for almost all of Ireland is based on the Griffith valuation carried out in the 19th century. Maintaining these lists requires the Valuation Office to determine valuations by reference to the values of comparable properties on the same valuation list. The result is a list of valuations that bears no resemblance to modern valuation levels and contains many anomalies.

The Valuation Office is currently revaluing all commercial properties in Ireland based on the rental value in 2005. We all know that today's economic circumstances are substantially different from those of 2005. The figures are totally out of date and the office has only revalued three rating authorities out of a total of 88. Even if it was revaluing to a realistic figure, how long would it take for it to get through the remaining 85 rating authorities?

We are in an awful situation. Businesses are on the brink and if they are not closing they are laying off staff in order just to pay the rates. Even in 2009 local authorities were only able to collect 80% of the rates. Businesses are reducing staff to pay rates which means more people are going on the live register. For our economic recovery we need more competitive businesses to create jobs. When we return after the summer recess the Government should introduce an amendment to the Valuation Act so that businesses that are struggling can appeal the level of rates they are being charged. At the moment the local authority has no facility to negotiate with the ratepayer so it is all or nothing. If a business goes out of business, it does not need to pay any rates. However, it might just need a helping hand to reduce the rates somewhat in order to stay in business.

I am disappointed the Minister for the Environment, Community and Local Government is not here for this debate. We also need to set up a review group to consider how we fund local authorities. It is unfair that the entire burden is placed on businesses. We need more sustainable businesses with more sustainable jobs and more people paying into the Exchequer and fewer people on the dole. In addition, if the high streets are full of cars even the local authorities are benefiting from car parking charges so it is a win-win situation. This is a very important issue for the business community and everybody benefits when we have job creation.

The Minister for the Environment, Community and Local Government needs to consider how we can amend the present system. I have spoken to a number of businesspeople in my



constituency who have suggestions to make. We could charge based on a company's turnover and require the company to submit its VAT returns on a bimonthly basis. People are willing to give their advice and the benefit of their expertise. We know a charge needs to be paid but we need to ensure it is fairer and more equitable.

This is the last Adjournment Debate, so we are entering the history books.

**An Leas-Cheann Comhairle:** The Deputy can take a bow.

**Deputy Robert Troy:** I am here along with Deputies Mathews and Durkan — two new Deputies and one long-standing Member.

**Deputy Dinny McGinley:** We might get a footnote in history yet.

I thank the Deputy for raising this matter, which is of interest to so many businesses and commercial interests in every part of the country. 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. The annual rate on valuation which is applied to the valuation of each property, determined by the Valuation Office, to obtain the amount payable in rates, is decided by the elected members of each local authority in the annual budget and its determination is a reserved function of a local authority. Rates income is a very important contribution to the cost of services provided by local authorities such as roads, water, public lighting, development control, parks and open spaces.

The factors that influence the decision on the annual rate on valuation include the level of services to be provided by the local authority and the income available to fund these services. The elected members therefore adopt the annual rate on valuation they consider necessary in order to provide the range of services for the communities, including businesses, in their area. In this regard, all rates collected locally are spent exclusively on providing services within that area. This is local democracy in action.

The Government is acutely aware of the pressures on small and medium-sized businesses and the challenging economic environment in which many property and business owners are operating at the present time. Local authorities have responded positively to requests to them by the Minister for the Environment, Community and Local Government to exercise restraint in setting commercial rates to support competitiveness in the economy and to protect the interests of communities. The annual rates on valuation have been reduced by an average of 0.6% in 2010 and by a similar level in 2011.

It is recognised that these are difficult economic times for many businesses and the Minister for the Environment, Community and Local Government, Deputy Hogan, will continue to keep the approach to rates by local authorities under active review. The Commissioner of Valuation, who has sole responsibility for all valuation matters, is conducting a programme of revaluation of all commercial and industrial properties throughout the State. To date revaluations have been completed in the South Dublin, Fingal and Dún Laoghaire-Rathdown County Council areas. A revaluation is currently under way in the Dublin City Council area. It is intended to roll out the programme to further local authority areas later this year.

Following completion of the revaluation programme, there will be a much closer and uniform relationship between rental values of property and their commercial rates liability and this relationship will thereafter be maintained by means of recurring revaluations provided for in the Valuation Act. In this way, the revaluation process will lead to more consistent and up-to-date valuations for rating purposes and will assist in making the rating system fairer and equit-

[Deputy Dinny McGinley.]

able for ratepayers. I understand that the Commissioner of Valuation is actively reviewing options which might facilitate the delivery of the revaluation programme within a shorter timeframe.

### **Proposed Legislation**

**Deputy Bernard J. Durkan:** I thank the Ceann Comhairle for allowing me the opportunity to raise this issue. I also thank the Minister of State for his attendance to reply. A firm in my constituency, Simmonstown Stud, Celbridge, County Kildare, owing to a change in operational procedures found it necessary to make a number of employees redundant. These employees were accommodated on site in what are known as tied houses. In other words, on foot of their terms of employment they had a house for the duration of their employment. We fully respect the right of the employer to change his or her operational procedures. There is no dispute as to whether the employees in this situation have to leave; we know they have to leave and find alternative accommodation. The problem lies with the length of time it takes to find alternative accommodation in the present climate.

A group of people comprising approximately half a dozen families who have lived and in some cases given up to 20 years service to their employer now find themselves, having been made redundant, also homeless. In different times it would have been possible to rehouse them through the local authority. However, Kildare County Council has 6,500 families on its housing list and there is no possibility of them being rehoused quickly. It must be done through a process of negotiation between the housing authority and potential tenants. Problematically, the agent for the employer is unwilling to listen to reason and, according to the tenants, is proceeding to hassle and intimidate them into clearing out of the houses and giving the firm vacant possession. While it is undoubtedly entitled to vacant possession, the manner in which this is being achieved leaves a great deal to be desired. In these enlightened times when we are more conscious than ever of the need to be fair to everyone and of the rights and wrongs of events, everyone, including those in a position to do so, should recognise that individuals not in such advantageous positions should be accommodated. We should also recognise the vulnerability of the families concerned and give them reasonable time to find alternative accommodation.

The theory is that, when someone is made redundant, he or she will receive a redundancy payment, as will be the case in this instance. The theory is also that people should be able to use their redundancy payments to house themselves. However, this stretches the imagination quite a bit. As we all know, it is not possible to do so, even with today's lower house prices. If necessary, the law should be changed to ensure that, in circumstances such as the one I have outlined, sufficient time is given to enable negotiations to take place and allow people to acquire alternative housing. Having given up to a quarter of a century of service to a particular employer in many cases, the people concerned should not need to use their redundancy payments to rent accommodation in an emergency.

These were the conditions of the time and, as the Leas-Cheann Comhairle and I know well, operating under such guidelines was beneficial to all concerned. There have been many such cases. In most, both sides are willing to accommodate each other. In this case, the tenants, for want of a better description, are willing to accommodate their former employer by vacating the properties as quickly as possible. In such circumstances, there must be recognition of the fact that people need a little extra time, particularly in the current economic climate. If the legislation does not allow for this, it should be changed.

**Deputy Dinny McGinley:** I am taking this Adjournment matter on behalf of my colleague, the Minister for Jobs, Enterprise and Innovation, and thank the Deputy for raising it. He has asked that the Government consider the need to amend or introduce legislation to ensure employees who have been provided with accommodation by their employers as part of their terms and conditions are given adequate time to secure alternative accommodation on their retirement, dismissal or redundancy, with particular reference to the latter and the need to prevent homelessness. In proposing such a legislative approach he has referred to an individual case in which employees who have resided for up to 20 years in accommodation provided on site by their employer on foot of a caretaker agreement have been unable to find alternative housing accommodation in the time since being made redundant. I am not aware of the specific details of the case, but it is clearly a matter of concern and I can appreciate the difficulties that might be caused for persons who find themselves in such an unfortunate position.

In effect, the Deputy is suggesting there might be a need to amend or introduce legislation to provide for an appropriate adjustment period for such persons. At issue, for example, could be an extension of the current minimum notice period to allow for a period of further adjustment by employees post-employment. The Deputy will be aware that dedicated legislation providing for minimum notice entitlements is in place, namely, the Minimum Notice and Terms of Employment Acts 1973 to 2001. The terms of the legislation specifically provide for a range of minimum notice periods to apply, the length of which relates to the period of employment of the employee concerned. The basic entitlement is a minimum of one week's notice. Persons with more than 15 years employment experience are entitled to eight weeks minimum notice. The Acts do not prevent an employee from waiving his or her right to notice or accepting payment in lieu of notice. On the basis that the employees to whom the Deputy refers were in employment for some 20 years, they would be entitled to this minimum notice period. If their contract of employment provided for longer periods of notice than the statutory minimum period, the longer notice periods would apply under contract law. There is nothing to prevent an employer and an employee from agreeing to include accommodation terms in an employment contract. For statutory entitlements, employees can vindicate their rights through the normal dispute settlement bodies. For other non-statutory contractual terms in general, where disputes arise, they may need to be pursued under contract law through the courts.

If it is the contention of the Deputy that such minimum notice periods provided for in extant legislation should be increased to allow a sufficient adjustment period for persons to secure alternative accommodation, where there is a caretaker agreement, post-employment, I cannot support such an approach. In the first instance, it would not be feasible to apply such additional obligations on employers in these challenging economic times. To do so would not only have a detrimental impact on individual employers, it could also affect sectors of the economy in such a way as to be detrimental to maintaining and growing employment. It would have significant and wide-ranging implications across the economy generally and potentially for a range of employers and employments. In current circumstances where businesses are struggling to remain competitive and contain costs, we must maintain a strong degree of balance and cannot impose on employers additional costs associated with new obligations post-employment where persons are retired, dismissed or redundant and where the normal contracts of employment have been terminated. I note that the Deputy has indicated that the accommodation provided in this specific case was provided by the previous employer on foot of a caretaker agreement for persons who are now redundant and where there is no longer a contract of employment in place.

Matters concerned with landlord and tenant law are ones for my colleague, the Minister for Justice and Equality. I understand there is in train a reform of such law, with proposals being circulated on these matters.

**An Leas-Cheann Comhairle:** De bhun ordú an Tí don lá inniu, tá an Dáil ar athló go dtí 2.30 p.m. Dé Chéadaoin, 14 Meán Fómhair. On this historic day which marks the end of Adjournment debates in their current form, pursuant to the order of the House of today, the Dáil stands adjourned until 2.30 p.m. on Wednesday, 14 September. Go mbeirimíd go léir beo go dtí Meán Fómhair.

**Deputy Bernard J. Durkan:** Thank you, a Leas-Cheann Comhairle. We extend our good wishes to you also.

**Deputy Peter Mathews:** I formally propose a vote of thanks to the Leas-Cheann Comhairle and the Minister of State on this historic occasion.

**Deputy Bernard J. Durkan:** I second that proposal.

**Deputy Dinny McGinley:** I offer my compliments to colleagues on this and the other side of the House.

**Deputy Peter Mathews:** And to the staff.

**Deputy Dinny McGinley:** Of course, to the staff who look after us.

**Deputy Bernard J. Durkan:** And who are very patient.

The Dáil adjourned at 8 p.m. until 2.30 p.m. on Wednesday, 14 September 2011.

## Written Answers.

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

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*Questions Nos. 1 to 9, inclusive, answered orally.*

*Question No. 10 answered with Question No. 7.*

### Arts Plan

11. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he will put in place a co-ordinated and integrated plan to enable the arts to play a central role in the projection of the national image with consequent benefit to the economy; and if he will make a statement on the matter. [21817/11]

405. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he intends to use the arts as a vehicle to promote the national identity and image thereby contributing to economic revival; and if he will make a statement on the matter. [22435/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 11 and 405 together.

One of this Government's top priorities from its first day in office has been the rebuilding of Ireland's international reputation. In doing this, we need to promote all of our key strengths as a country. Irish culture has a global reach, and the worldwide recognition of Ireland's great artists, writers and musicians of past and present is more important now than ever before in projecting Ireland's profile as a creative nation. It is also our most powerful connection to the 70 million members of the global Irish community.

To give effect to the Government's objectives to strengthen Ireland's global reputation and cultural profile, Culture Ireland, as part of my Department, promotes Irish arts in key territories worldwide, working very closely with the Department of Foreign Affairs and Trade and its mission network, the Department of the Taoiseach, and with the other promotional agencies. This year in particular, Culture Ireland is spearheading *Imagine Ireland*, a special initiative to promote Irish arts in America, comprising more than 1,000 Irish artists in more than 400 events across more than 40 US States.

[Deputy Jimmy Deenihan.]

I am confident that these measures and initiatives will contribute substantively to sustainable economic recovery.

*Question No. 12 answered with Question No. 9.*

### **Cultural Centres**

13. **Deputy Charlie McConalogue** asked the Minister for Arts, Heritage and the Gaeltacht his plans to advance the capital development plans for the National Gallery of Ireland, the National Concert Hall, the Abbey Theatre, the National Museum at Collins Barracks and other major cultural centres. [21810/11]

18. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht if he will continue to work with the Abbey Theatre to find a solution to the theatre's need for a new premises; and if he will make a statement on the matter. [21807/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 13 and 18 together.

As the Deputies may be aware, major building works are underway at the National Gallery of Ireland. The works are necessary to address the deterioration in the fabric of the historic Dargan and Milltown Wings of the Gallery, which are respectively 150 and 100 plus years old, and to upgrade plant and services to deliver a secure and stable environment for its priceless collections.

Regarding the public private partnership project for the National Concert Hall, it was decided in late 2010 not to proceed with the project as originally envisaged, given the current economic situation. A range of rehabilitation and refurbishment issues still remain, however, and will be examined in light of available resources.

Turning to the Abbey Theatre, following consideration of the matter by the Government, it has been decided not to proceed with the re-location of the Abbey Theatre to the GPO complex. I will, however, endeavour to ensure that the Abbey Theatre's accommodation in its current location is maintained to a suitable standard. The intervention made a number of years ago in the Abbey auditorium was an excellent one and ongoing investment there has addressed front-of-house, box-office, staging and mechanical issues.

With regard to the National Museum, the Asgard will be placed on display at the Collins Barracks and minor capital works to allow for public access to it will commence shortly.

Regarding the Irish Museum of Modern Art, capital works to address essential upgrades to the fire and electrical systems amongst other things will have to be carried out at the Royal Hospital Kilmainham in the near future and this will necessitate the temporary closure of parts of the Museum.

I am conscious that the severe economic downturn has had an impact on some of the capital development plans of the national cultural institutions. The institutions, while forming an intrinsic part of our heritage, also remain an important part of our cultural tourism offering and I will continue to support them to the greatest extent possible, within the available resources.

14. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the potential acquisition by the State of the Bank of Ireland building at College Green, Dublin 2; and if he will make a statement on the matter. [21795/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will know from my responses to previous Questions on this matter, I have met the Chairman and Chief Executive of the Bank of Ireland Group in relation to the College Green Dublin building. Those contacts are continuing.

### Heritage Sites

15. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the number of heritage sites throughout the country which are protected under various criteria on a county basis; the number of such sites that are not protected; the number and location of any such sites in respect of which protection or preservation orders are pending; and if he will make a statement on the matter. [21816/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The conservation principles of care and protection of the architectural heritage are set out in Part IV of the Planning and Development Act 2000, as amended. Under the Act, planning authorities have a clear obligation to create a record of protected structures.

There are 2,908 monuments recorded in the Register of Historic Monuments and there are approximately 120,000 further monuments recorded in the Record of Monuments and Places and these are protected under the National Monuments Acts. Both the Record and the Register are maintained by my Department. There are 757 national monument sites in my ownership or guardianship — the number of individual monuments is greater as some of these sites contain a number of monuments. There are 490 national monuments protected by Preservation Orders. Currently, there are no monuments subject to temporary preservation orders and there are no preservation orders pending. While a breakdown by county is not readily available across this very large number of sites, a considerable amount of detail is contained on my Department's website at [www.archaeology.ie](http://www.archaeology.ie).

Sites designated by my Department for their natural heritage interest include 423 Special Areas of Conservation (SACs), 153 Special Protection Areas (SPAs), 155 Natural Heritage Areas (NHAs), 7 Refuges for Fauna, 78 Nature Reserves and 6 National Parks. Detailed information on these sites, including information on the nature conservation associated with each, is available on a county basis on the National Parks and Wildlife Service website at [www.npws.ie](http://www.npws.ie).

The number of heritage sites that are not currently protected is not easily defined. New research, surveys and inventories inform where and what protection is offered. Other factors include refinements to the extent of a site boundary, changes to its qualifying interests and the relationship of the individual elements of the site — they may enjoy protection as a group or individually.

### Wildlife Protection

16. **Deputy Brendan Griffin** asked the Minister for Arts, Heritage and the Gaeltacht if the level of grant aid available to farmers to assist in the preservation of corncrakes in meadows will be increased to make it viable for farmers to protect these endangered birds, especially as there are so few cases involved; and if he will make a statement on the matter. [21596/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department runs a number of schemes that provide payments to farmers for prescribed, targeted actions to benefit the Corncrake in areas where it breeds, notably the north Donegal coast, west Connacht and the Shannon Callows.

These include seasonal schemes to protect birds already arrived on farmland, as well as long term schemes incorporating habitat creation and management.

[Deputy Jimmy Deenihan.]

The Corncrake Grant Scheme pays landowners to delay mowing or grazing where nesting corncrakes have been located. The National Parks and Wildlife Service Farm Plan Scheme pays farmers based in the Shannon Callows to maintain meadows suitable for the breeding requirements of the corncrake. A new pilot scheme is being proposed on the Mullet Peninsula in Mayo and the North Coast of Donegal, designed to help maintain or restore the favourable conservation status of these Special Protection Areas (SPAs). Furthermore, the NPWS leases land under Conacre to facilitate longer term management where corncrakes have been present in recent years.

The current payments offer good value to the farmer and the schemes have a high rate of take up in the relevant areas.

### Commemorative Events

17. **Deputy David Stanton** asked the Minister for Arts, Heritage and the Gaeltacht his plans to commemorate the tragedy of the *Titanic*, the centenary of which occurs in 2012; and if he will make a statement on the matter. [18954/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I understand that the commemorative initiatives for this important centenary are being led by the Cobh local authority and the tourism agencies.

*Question No. 18 answered with Question No. 13.*

### Arts Plan

19. **Deputy Charlie McConalogue** asked the Minister for Arts, Heritage and the Gaeltacht if he will consider the development of a St. Patrick's fortnight as a two-week programme to celebrate and showcase Irish culture. [21809/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, St. Patrick's Festival is the primary cultural festival during the Spring. The Programme for Government proposed making Culture Night a twice yearly event. Discussions on the most appropriate way to build on the success of the Culture Night event are ongoing. As such there may be scope for the development of an audience-focused cultural initiative as part of these festivities.

The Deputy will appreciate that these discussions must have regard to the resources available to my Department and to the many competing demands on these resources.

It is likely that reduced resources will mean that my priorities will not permit such a wide ranging proposal as put forward by the Deputy.

### Arts Funding

20. **Deputy Dessie Ellis** asked the Minister for Arts, Heritage and the Gaeltacht his plans to further develop all-Ireland co-operation in the area of touring arts; his views on the scope for greater efficiencies in delivering performances by visiting and touring groups on an all-island basis; and if he will make a statement on the matter. [21799/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Programme for Government contains a commitment that the Government will encourage the Arts Council to continue to dedicate resources to touring in order to protect the State's investment in regional arts infrastructure and to bring cultural tourism opportunities to towns and villages



across the country. Under the section 24 of the Arts Act 2003, the Arts Council is independent in its decisions on funding, including the selection of initiatives and the level of funding. I intend, however, to convey the commitment on touring to the Arts Council in a manner which is appropriate to our respective statutory remits.

### **Inland Waterways**

21. **Deputy Heather Humphreys** asked the Minister for Arts, Heritage and the Gaeltacht if €35 million was ring-fenced for the restoration of the section of the Ulster Canal between Clones and Upper Lough Erne; if this funding was included in any budget between 2008 and 2010; and if he will make a statement on the matter. [21531/11]

408. **Deputy Brendan Smith** asked the Minister for Arts, Heritage and the Gaeltacht the proposals to progress the restoration of the Ulster Canal; if funding will be provided for this project in 2012; and if he will make a statement on the matter. [22501/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 21 and 408 together.

As the Deputy will be aware, the North/South Ministerial Council (NSMC) Plenary Meeting in July 2007 agreed to proceed with the restoration of the section of the Ulster Canal between Clones and Upper Lough Erne. The then Government agreed to cover the full capital costs of the project, which were estimated at that time to be of the order of €35m. However, Government Accounting procedures do not provide, in that sense, for the “ring-fencing” of funds for projects of this nature and I can confirm that this funding was not included in any budget between 2008 to 2010.

I am advised that it was always the intention that the Ulster Canal project would be funded from the Waterways Ireland annual allocations, as agreed through the annual estimates processes in this jurisdiction, as well as the deliberations of NSMC in relation to annual budgets. I am advised also that it was also a key consideration throughout the process that the Ulster Canal project would be supported by a significant level of projected income from the commercialisation of certain Waterways Ireland assets — a scenario that was affected negatively by the economic downturn.

Clearly, that downturn is of major significance and presents serious difficulties to my Department during this period when there is such pressure on the public finances. While I intend to explore all possible options that may assist in the advancement of this project, it must also be recognised that the Government is engaged at present in a Comprehensive Review of Expenditure, under which all spending is being examined rigorously. Notwithstanding that, I have asked my Department to keep in regular contact with Waterways Ireland with a view to advancing the project to the extent possible, within the current constraints. In this regard, you will be aware that Waterways Ireland is in the process of finalising documentation in order to proceed to the stage of submitting an application for planning permission — a significant milestone for the project.

### **Cultural Institutions**

22. **Deputy Seán Ó Feargháil** asked the Minister for Arts, Heritage and the Gaeltacht if there has been any progress in finding a new tenant for the Lighthouse Cinema in Smithfield, Dublin 7, in order that it can continue operating as an art house and cultural cinema centre. [21811/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** On 15 April 2011, the High Court placed the Light House Cinema into involuntary liquidation and appointed a liquidator. On 27 April, Mr Neil Hughes of Hughes Blake was appointed receiver and manager by Bord Scannán na hÉireann/the Irish Film Board and The Arts Council, with the agreement of my Department.

The receiver sought expressions of interest in taking over the management and running of the Light House Cinema by placing advertisements in the national media. I understand that there were a number of enquiries from interested parties in response to the advertisements and that discussions are ongoing between those parties, the receiver and the landlord.

Under the circumstances, it would not be appropriate for me to comment further at this stage.

*Question No. 23 answered with Question No. 7.*

### Straitéis 20 Bliain

24. D'fhiafraigh **Caoimhghín Ó Caoláin** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil sé in ann níos mó eolais a thabhairt don Teach mar gheall ar an tslí ina bhfuil siad chun an Straitéis 20 Bliain don Ghaeilge a chur i bhfeidhm taobh amuigh den Ghaeltacht; agus an ndéanfaidh sé ráiteas ina thaobh. [21862/11]

30. D'fhiafraigh **Caoimhghín Ó Caoláin** den Aire Ealaíon, Oidhreacht agus Gaeltachta cathain a fhoilseofar an plan forfheidhmithe maidir leis an Straitéis 20 Bliain don Ghaeilge 2010-2030 de chuid an Rialtais a chur i bhfeidhm; agus an ndéanfaidh sé ráiteas ina thaobh. [21793/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Tá rún agam Ceisteanna Uimh. 24 agus 30 a fhreagairt le chéile.

Ag cruinniú Rialtais ar an 31 Bealtaine 2011, tógadh cinntí gur mar seo a leanas a bheidh na struchtúir fhorfheidhmithe faoin Straitéis 20 Bliain:

- Go bhfanfaidh an lár-fhreagracht maidir le gnóthaí Gaeilge laistigh agus lasmuigh den Ghaeltacht araon ar mo Roinn;
- Go leanfaidh Foras na Gaeilge ag feidhmiú mar áisíneacht teanga thuaidh/theas;
- Go mbeidh mo Roinn, i gcomhpháirtíocht le páirtneíríabhartha Stáit, freagrach as cur i bhfeidhm na Straitéise lasmuigh den Ghaeltacht agus go mbreathnófar ar na féidearthachtaí go bhféadfadh Foras na Gaeilge seachadadh a dhéanamh ar eilimintíáirithe den Straitéis ar bhonn comhaontaithe le mo Roinn; agus,
- Go mbeidh Údarás na Gaeltachta freagrach as cur i bhfeidhm na Straitéise sa Ghaeltacht.

Feictear dom go bhfuil go leor dul chun cinn á dhéanamh ag mo Roinn maidir le cur i bhfeidhm na Straitéise 20 Bliain don Ghaeilge. Tá Aonad Straitéise bunaithe i mo Roinn atá freagrach as pleanáil agus feidhmiú na Straitéise a threorú. Tá plan forfheidhmithe bliana agus trí bliana do chur i bhfeidhm na Straitéise ag mo Roinn ullmhaithe ag an Aonad Straitéise. Tá an tAonad Straitéise ag dul i ndáil chomhairle leis na príomhpháirtithe leasmhara eile faoin Straitéis chun a gcuid pleananna forfheidhmithe siúd a lorg fosta. Feictear dom go mbeadh sé cuí agus cóir go bhfoilseofaí na pleananna forfheidhmithe seo in am tráth ar líne sa chaoi is go mbeadh rochtain éasca orthu.

Tá trí ghrúpa oibre ardleibhéil bunaithe ag an Aonad Straitéise chun dlús a chur le forfheidhmiú na Straitéise. I bhfianaise an tábhacht ar leith a bhaineann le réimse gnímh an oideachais faoin Straitéis, tá grúpa oibre ardleibhéil bunaithe idir oifigigh ó mo Roinn agus

oifigigh ón Roinn Oideachais agus Scileanna. Bhí dhá chruinniú ag an ngrúpa oibre seo go dtí seo i mbliana agus tá tús áite á thabhairt do na tosaíochtaí maidir le cur i bhfeidhm na Straitéise i réimse gnímh an oideachais, ag tógáil san áireamh na laincisí ar acmhainní i láthair na huaire.

Tá grúpa oibre ardleibhéil eile bunaithe idir oifigigh ó mo Roinn, ó Fhoras na Gaeilge agus ó Údarás na Gaeltachta. Tá an grúpa seo dírithe ach go háirithe ar idirdhealú a dhéanamh idir feidhmeanna reachtúla na Roinne, an Fhorais agus an Údaráis sa chaoi is gur féidir a chinntiú go mbeidh an luach is fearr ar airgead ag an Státchiste agus nach mbeidh aon dúbláil soláthair ann mar thoradh ar chur i bhfeidhm na Straitéise ag na comhlachtaí poiblí seo. Bhí dhá chruinniú ag an ngrúpa oibre seo go dtí seo i mbliana chomh maith.

Ní miste a lua fosta go bhfuil grúpa oibre ardleibhéil eile bunaithe idir oifigigh ó mo Roinn, an Roinn Caiteachais Phoiblí agus Athchóirithe agus an Roinn Post, Fiontar agus Nuálaíochta chun plé a dhéanamh ar na bealaí is éifeachtaí chun infheistíocht fiontraíochta sa Ghaeltacht a chinntiú sa todhcháí.

Faoi láthair, is í an tosaíocht is mó tábhachta atá ag an Aonad Straitéise sa Roinn ná an obair atá ar siúl ar na cinn a dhréachtú don Bhille Gaeltachta faoi láthair. Táthar ag súil go bhfoilseofar an Bille seo níos moille i mbliana, ag brath ar chlár reachtaíochta an Rialtais. Déanfar forálacha faoin mBille Gaeltachta do na struchtúir fhorfheidhmithe faoin Straitéis, de réir mar is cuí, agus don sainmhíniú ar an nGaeltacht.

Mar aitheantas ar an mborradh atá tagtha faoin nGaeilge taobh amuigh den Ghaeltacht le roinnt blianta anuas, tá sé tábhachtach nach mbeidh an sainmhíniú ar an nGaeltacht teoranta do na ceantair sin amháin a bhfuil stádas reachtúil Gaeltachta acu faoi láthair. Chuige sin, tabharfar stádas reachtúil faoin mBille Gaeltachta do cheantair eile “Gaeltacht gréasáin” atá lasmuigh de na ceantair Ghaeltachta reachtúla atá ann faoi láthair. Is ceantair iad seo a mbeidh a bhformhór i bpobail uirbeacha agus a mbeidh toirt bhunúsach chriticiúil de thacaíocht phobail agus Stáit acu don Ghaeilge. Chomh maith leis seo, tabharfar stádas reachtúil faoin mBille do Bhailte Seirbhíse Gaeltachta — bailte atá taobh istigh nó taobh amuigh den Ghaeltacht, mar atá sí aitheanta faoi láthair, ina mbeidh raon leathan seirbhísí trí Ghaeilge ar fáil do cheantair Ghaeltachta atá suite cóngarach do na Bailte Seirbhíse Gaeltachta seo.

### An Teanga Gaeilge

25. D’fhiafraigh **Michael Colreavy** den Aire Ealaíon, Oidhreacht agus Gaeltachta, i bhfianaise thuairim an Choimisinéara Teanga go bhfuil dhá chomhlacht poiblí — Feidhmeannacht na Seirbhíse Sláinte agus an tArd-Mhúsaem — ag sárú a ndualgas reachtúil teanga, cad iad na céimeanna a ghlacfaidh sé chun an fhadhb seo a réiteach. [21782/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Tá sé de chumhacht ag an gCoimisinéir Teanga faoi alt 26(5) d’Acht na dTeangacha Oifigiúla 2003 tuarascáil a chur faoi bhráid Thithe an Oireachtais más rud é go bhfeictear dó go bhfuil comhlachtaí poiblí ag sárú a gcuid dualgais reachtúla teanga.

Ag eascairt as imscrúduithe atá déanta ag an gCoimisinéir Teanga faoi Acht na dTeangacha Oifigiúla, tá tuarascáil maidir le Feidhmeannacht na Seirbhíse Sláinte agus Ard-Mhúsaem na hÉireann curtha faoi bhráid Thithe an Oireachtais aige. Ar ndóigh, is ar Thithe an Oireachtais féin atá sé aon chéim bhreise a thógáil, má mheasann siad gur cuí dóibh a leithéid a dhéanamh.

Cé go bhfaigheann Oifig an Choimisinéara Teanga maoiniúó mo Roinnse dá buiséad riaracháin, is oifig reachtúil í atá neamhspleách i gcomhlíonadh a cuid feidhmeanna.

### Departmental Agencies

26. **Deputy Timmy Dooley** asked the Minister for Arts, Heritage and the Gaeltacht his

[Deputy Timmy Dooley.]

views on the recent report from the Western Development Commission which highlighted the potential for a doubling of the workforce employed in the arts and culture sectors over the next ten years; and if he will make a statement on the matter. [21812/11]

32. **Deputy Pearse Doherty** asked the Minister for Arts, Heritage and the Gaeltacht his views on the Western Development Commission report published recently that highlighted the potential for a doubling of the workforce employed in the creative sector over the next ten years; his plans to ensure that potential is realised; and if he will make a statement on the matter. [21796/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 26 and 32 together.

I am aware that the report referred to by the Deputies was published in June by the Western Development Commission (WDC), as a follow-up to an earlier report, also published by the WDC, in 2009.

This latest report is an economic impact assessment that follows on from the original report, which contained a list of recommendations, and assesses the growth potential for the creative sector in Ireland's western region. The recommendations raised are a matter for a number of Government Departments and Agencies, and not just my Department. Clearly, the economic assessment will be of interest in the context of the allocation of scarce resources .

#### **Social Welfare Code**

27. **Deputy Pádraig Mac Lochlainn** asked the Minister for Arts, Heritage and the Gaeltacht his views on the potential application here of a welfare and support programme for artists similar to GUSO in France; if he has carried out any research or feasibility analysis into the possibility of using such a system, or elements of such a system here in view of the potential benefit to the arts; and if he will make a statement on the matter. [21798/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am advised that the matter referred to by the Deputy relates to social welfare for artists and the collection of levies such as social insurance. I have no statutory responsibility in relation to such matters, which may be more appropriate to my colleague, the Minister for Social Protection.

#### **Tourism Promotion**

28. **Deputy Brian Stanley** asked the Minister for Arts, Heritage and the Gaeltacht the way he plans to promote greater co-operation between local authorities to promote the arts and develop cultural tourism; and if he will make a statement on the matter. [21800/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Arts officers are employed by each local authority throughout the State. The activities of these officials, as is the case of all local authority employees, fall, in the first instance, within the statutory remit of the Minister for Environment, Community and Local Government. While being Minister with responsibility for the Arts, my statutory authority does not extend to local authority arts officers. I am, however, currently in the process of meeting Arts officers collectively in the context of integrated Arts and Culture promotional strategies at local level.

#### **Mental Health Promotion**

29. **Deputy Aengus Ó Snodaigh** asked the Minister for Arts, Heritage and the Gaeltacht how

he plans to encourage people to improve, maintain and protect their mental well-being through art; and if he will make a statement on the matter. [21802/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Deputy will appreciate that I have no statutory responsibility in relation to mental health, which is a matter for my colleague, the Minister for Health.

*Question No. 30 answered with Question No. 24.*

### Údarás na Gaeltachta

31. D'fhiafraigh **Pearse Doherty** den Aire Ealaíon, Oidhreachta agus Gaeltachta cén plan atá ag an Rialtas maidir le bord Údarás na Gaeltachta a ainmniú; an bhfuil an Rialtas ag dul i gcomhairle le pobal agus eagraíochtaí na Gaeltachta chun córas nua a chruthú; agus an ndéanfaidh sé ráiteas ina thaobh. [21789/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Ag cruinniú Rialtais ar 31 Bealtaine 2011, thóg an Rialtas roinnt cinntí sonracha polasaí maidir le struchtúr agus feidhmeanna Údarás na Gaeltachta. I measc na gcinntí seo, rinneadh cinneadh líon na gcomhaltaí ar bhord Údarás na Gaeltachta a laghdú go substaintiúil agus deireadh a chur leis an riachtanas toghcháin a ghairm do bhord an Údaráis. Tá na cinntí polasaí seo ag teacht le haidhm an Rialtais go mbeadh boird Stáit ag feidhmiú go héifeachtach ar bhonn sruthlíneithe. Tá sé i gceist na cinntí seo a chur i bhfeidhm trí fhorálacha sa Bhille Gaeltachta a bhfuiltear ag súil lena fhoilsiú níos moille i mbliana.

Sa chaoi is nach gcaillfear an ghné dhaonlathach mar thoradh ar na hathruithe ar bhord an Údaráis, tiocfar ar mheicníocht faoin mBille chun gur féidir le húdaráis áitiúla, a bhfuil limistéir Ghaeltachta faoina gcúram, líon áirithe comhaltaí a ainmniú ar bhord an Údaráis. Déanfaidh an tAire Ealaíon, Oidhreachta agus Gaeltachta na comhaltaí eile a ainmniú mar thoradh ar shaineolas ar leith a bheith acu i réimsí gnímh an Údaráis.

Ar ndóigh, tabharfar deis don phobal tuairimí agus moltaí a chur in iúl maidir leis na hathruithe seo, tráth a fhoilseofar an Bille Gaeltachta.

*Question No. 32 answered with Question No. 26.*

### An Teanga Gaeilge

33. D'fhiafraigh **Michael Colreavy** den Aire Ealaíon, Oidhreachta agus Gaeltachta an molfaidh sé beartas faoinar chóir Billí uile an Rialtais a thionscnamh go dátheangach chun a chinntiú go bhfoilseofaí Achtanna i gcomhráth sa dá theanga oifigiúla dá bharr sin agus an ndéanfaidh sé ráiteas ina thaobh. [21792/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Mar is eol don Teachta, is faoi Choimisiún Thithe an Oireachtais atá sé Billí agus Achtanna Oireachtais a fhoilsiú. Tá dualgas reachtúil ann faoi alt 7 d'Acht na dTeangacha Oifigiúla 2003 Achtanna Oireachtais a chlóg agus a fhoilsiú go comhuaineach sa dá theanga oifigiúla. Níl aon dualgas reachtúil ann maidir le Billí a thionscain sa dá theanga oifigiúla.

Tá athbhreithniú le déanamh ag mo Roinnse ar Acht na dTeangacha Oifigiúla i gcomhréir leis an ngealltanas atá sonraithe i gClár an Rialtais. Tá na céimeanna tosaigh le dlús a chur leis an athbhreithniú sin á dtógáil faoi láthair, ar a n-áirítear téarmaí tagartha a dhréachtú, a thógfaidh san áireamh stádas na Gaeilge sa Bhunreacht, spriocanna an Straitéis 20 Bliain don Ghaeilge agus na bealaí is éifeachtaí chun seirbhísí an Stáit a sholáthar don phobal trí mheán na Gaeilge.

[Deputy Dinny McGinley.]

Reáchtálfar próiseas comhairliúcháin phoiblí mar chuid den athbhreithniú seo. Táim cinnte go bhféadfaí a leithéid de mholadh maidir le Billí a thionscnamh sa dá theanga oifigiúla a thógáil san áireamh le linn an athbhreithnithe.

### **National Asset Management Agency**

34. **Deputy Mary Lou McDonald** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the commitment in the programme for Government to identify buildings in the National Asset Management Agency that could be used as suitable local arts and culture facilities; if such buildings have been identified in discussions with NAMA; the timeline for their coming on stream; and if he will make a statement on the matter. [21801/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I refer the Deputy to my previous replies in the House on this matter, most recently to Question No. 148 of 1 June 2010. I have met NAMA in this regard and the matter is under ongoing review.

### **Tourism Promotion**

35. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht if he has had any discussions with the Department of Transport, Tourism and Sport regarding the Gathering, an important initiative to encourage people of Irish heritage to visit the country in 2012; and if he is considering such an initiative for 2012. [21808/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Gathering, in common with many festivals, has both an arts element and a tourism element. In 2011, the Gathering will receive funding from both Fáilte Ireland and the Arts Council for its respective elements. Under the Section 24 of the Arts Act, 2003, the Arts Council is independent in its decisions on funding including the selection of initiatives and the level of funding.

In relation to 2012, The Gathering, which is operated by the private sector, will be required to make its application to the Arts Council in the same way as any other organisation seeking Arts Council support.

### **Caiteachas Ranna**

36. D'fhiafraigh **Brendan Smith** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén méid airgid atá ann d'Fhoras na Gaeilge, cé na dualgais a bheidh acu; agus an ndéanfaidh sé ráiteas ina thaobh. [21805/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Tagann dhááísíneacht teanga faoin gcomhlacht forfheidhmithe thuaidh/theas, An Foras Teanga, a bunaíodh faoin Acht um Chomhaontú na Breataine-na hÉireann, 1999. Is iad Foras na Gaeilge agus Tha Boord o Ulstèr-Scotch, nó Gníomhaireacht na hUltaise, na háisíneachtaí teanga sin.

Tháinig Foras na Gaeilge i gcomharbacht ar Bhord na Gaeilge agus tá an phríomhfhreagracht air maidir le cur chun cinn na Gaeilge i ngach gné den saol ar fud oileán na hÉireann. Tá eolas maidir le gníomhaíochtaí Fhoras na Gaeilge le fáil ar an idirlíon ag an suíomh [www.gaeilge.ie](http://www.gaeilge.ie).

Is tríd an gComhairle Aireachta Thuaidh/Theas a aontaítear buiséid, pleananna gnó agus pleananna corparáideacha don Fhoras Teanga. Táthar ag súil go mbeidh an buiséad agus an plean gnó don bhliain 2011 agus an plean corparáideach don tréimhse 2011-2013 faofa san fhómhar ag an gComhairle Aireachta Thuaidh/Theas don Fhoras Teanga.

Mar eolas don Teachta ag an bpointe seo, is €16.6m an soláthar iomlán i ndáil leis an bhForas Teanga atá i Vóta mo Roinne don bhliain 2011. Baineann €923,206 den tsuim seo le Gníomhaireacht na hUltaise agus baineann €15,636,641 den tsuim seo le Foras na Gaeilge. Áiríonn sé sin caiteachas ar ghníomhaíochtaí Fhoras na Gaeilge féin, ar Chlár na Leabhar Gaeilge agus ar Cholmcille, an tionscadal trípháirteach idir Éirinn, Tuaisceart Éireann agus Albain.

### Forbairt na nOileán

37. D'fhiafraigh **Brendan Smith** den Aire Ealaíon, Oidhreachta agus Gaeltachta cé na pleananna atá aige chun na hoileáin sa Ghaeltacht agus na hoileáin i gcoitinne a fhorbairt; agus an ndéanfaidh sé ráiteas ina thaobh. [21804/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Tá dul chun cinn maith déanta le blianta beaga anuas maidir le forbairt na n-oileán. Tá fóirdheontais curtha ar fáil trí mo Roinnse le haghaidh réimse leathan seirbhísí iompair go dtí na hoileáin a bhfuil buanchónaí orthu, lena n-airítear seirbhísí paisinéirí, lastais, bus agus aeir. Tá méadú tagtha ar líon na seirbhísí seo ón seacht seirbhís a bhí ann i 1997 go dtí os cionn fiche seirbhís i mbliana. Ina theannta sin, íocann mo Roinn deontais le haghaidh bainistiú na n-aerstráicí ar na hOileáin Árann.

Le linn na tréimhse ó 1997 go 2010, ceadaíodh beagnach €120m trí mo Roinnse chun feabhas a chur ar infreastruchtúr ar mhaithe le pobail na n-oileán. Mar thoradh ar an leibhéal infheistíochta seo, tá feabhas suntasach tagtha ar shaol na n-oileánach de bharr ardchaighdeán bonneagair ar na hoileáin agus áiseanna gaolmhara ar an mórthír. Cé go n-aithním na constaicí mórátá ann mar thoradh ar an gcúlú eacnamaíochta, táimse ag súil go mbeidh mo Roinnse in ann leanúint ar aghaidh, feadh a cumais, ag maoiniú seirbhísí riachtanacha rochtana chuig na hoileáin.

Ní miste a rá fosta go gcuirtear maoiniú ar fáil d'Údarás na Gaeltachta ar mhaithe le cruthú fostaíochta, deiseanna oiliúna, forbairt pobail agus teanga sa Ghaeltacht — na hoileáin Ghaeltachta san áireamh. Táim ag súil go n-imreoidh an tionscnamh fostaíochta a fógraíodh tamall ó shin ag an Rialtas tionchar dearfach ar chúrsaí fostaíochta ar na hoileáin chomh maith leis an mórthír.

### Scéimeanna Ranna

38. D'fhiafraigh **Pádraig Mac Lochlainn** den Aire Ealaíon, Oidhreachta agus Gaeltachta an bhfuil scéim nua ag an Rialtas fós chun ionad scéim labhairt na Gaeilge a ghlacadh; agus an ndéanfaidh sé ráiteas ina thaobh. [21790/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Faoi mar a thug mé le fios i bhfreagra ar Cheist Dála ar 22 Meitheamh 2011, tá sé i gceist ag mo Roinnse córas nua tacaíochta a chur in áit Scéim Labhairt na Gaeilge, a thabharfaidh deis níos fearr do pháistíoga an Ghaeilge a shealbhú go nádúrtha cois teallaigh sula mbaintear an scoil amach.

Tá mo Roinn ag iarraidh a chinntiú go mbeidh an cur chuige úr a thiocfaidh i gcomharbacht ar Scéim Labhairt na Gaeilge ag teacht ar bhealach níos dlúithe le cuspóirí na Straitéise 20 Bliain don Ghaeilge.

Táthar ag scrúdú na bhféidearthachtaíeagsúla a bhaineann leis an gceist faoi láthair agus tá súil agam go mbeidh ar mo chumas cinneadh críochnúil a dhéanamh sar i bhfad.

### Commemorative Events

39. **Deputy Michael P. Kitt** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding the National Famine Commemoration day; the date and venue for the commemoration; and if he will make a statement on the matter. [21597/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am pleased to advise the Deputy that President McAleese has accepted an invitation to lead the official representation at this year's National Famine Commemoration. The National Famine Commemoration ceremony will take place on Saturday, 10 September 2011 in Clones County Monaghan. The commemoration will comprise a programme in which the local communities in County Monaghan will be prominently involved followed by the formal State ceremonial event, which will include military honours and wreath laying ceremonies.

I should say that my Department is currently engaging with all the relevant stakeholders to make the necessary arrangements for this year's commemoration. The great support in the local communities in Monaghan for this event is very welcome and is evidence of the deep respect still held today for all those who perished, suffered and emigrated during the famine.

### National Monuments

40. **Deputy Mick Wallace** asked the Minister for Arts, Heritage and the Gaeltacht if there has been any further development regarding the application for ministerial consent to carry out works at the national monument of Nos. 14-17 Moore Street since the Dáil Adjournment debate on national monuments of 23 June 2011; if he will give a date for the publication of the proposals received; and if he will make a statement on the matter. [21815/11]

41. **Deputy Gerry Adams** asked the Minister for Arts, Heritage and the Gaeltacht the steps he has taken to secure the future of 14-17 Moore Street, and to ensure that the area around Moore Street can be developed into a revolutionary quarter at the heart of Dublin City. [18710/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 40 and 41 together.

In January 2007, the then Minister for the Environment, Heritage and Local Government placed a preservation order on Nos. 14 to 17 Moore Street under the National Monuments Acts. The order was made on the grounds that No. 16 is a monument, the preservation of which is of national importance by reason of its historical significance as the site of the final council of war and final headquarters of the Provisional Government. The effect of the order is that works affecting these properties, including any excavation or ground disturbance within, around or in proximity to them, will require my consent under section 14 of the National Monuments Act 1930, as amended.

The proposed development of the Carlton Cinema site, of which Nos. 14 to 17 Moore Street form part, and for which approval has been granted by An Bord Pleanála, envisages the retention of these buildings and the provision of a commemorative centre to the 1916 Rising in No. 16. An application by the developer for consent to these proposals under section 14 of the 1930 Act was submitted to my Department on 17 June 2011. The consent application is being examined and a decision will be made as quickly as possible.

Any wider plans for the development of the Moore Street area would be a matter for the relevant landowners and the development authority, Dublin City Council.



### Údarás na Gaeltachta

42. D'fhiafraigh **Martin Ferris** den Aire Ealaíon, Oidhreachta agus Gaeltachta cathain a bheidh an Rialtas ag earcú príomhfheidhmeannach nua le haghaidh Údarás na Gaeltachta; agus an ndéanfaidh sé ráiteas ina thaobh. [21788/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Tá mo Roinnse i gcomhairle leis an Roinn Caiteachais Phoiblí agus Athchóirithe maidir leis na socrúithe cuí chun post an phríomhfheidhmeannaigh ar Údarás na Gaeltachta a líonadh. Tíocfaidh an folúntas aníos ag deireadh na bliana seo nuair a bheidh an príomhfheidhmeannach gníomhach ag éirí as. Ach na socrúithe a bheith aontaithe, cuirfear tús leis an bpróiseas earcaíochta tríd an tSeirbhís um Cheapacháin Phoiblí.

### Diplomatic Representation

43. **Deputy Peadar Tóibín** asked the Tánaiste and Minister for Foreign Affairs and Trade the locations of the Irish embassies and Irish consulate offices worldwide; and the cost of operations for each office. [21888/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Irish Diplomatic Network is made up of 76 overseas Missions, in addition to offices in Armagh and BelFÁS. The network consists of 58 Embassies, 7 multilateral Missions and 11 Consulates General and other offices overseas. In addition to their country of primary accreditation, many Ambassadors are also accredited to additional countries on a non-resident basis. The annual costs as set out in the table below for 2010 are the administrative costs of operating each mission. The figures do not include the salaries of the Irish based staff as these are a charge on the overall salaries budget of the Department rather than on a specific Mission.

In addition to the administrative costs of operating a Mission, many Embassies fund programmes in their respective countries, in particular the Missions which fund Irish Aid activities. For example, in 2010, while the Embassy in Mozambique had administrative costs of almost €1 million, it managed an aid programme of €37.5 million through the Mission that year. The administrative costs of offices in Irish Aid Programme Countries (highlighted in bold) are often high due to issues such as the additional security required in a developing country context.

Also, from time to time Missions may incur significant capital expenditure in relation to their premises or for upgrading of essential infrastructure. These capital costs are not included in the annual administrative costs as detailed below:

Mission	2010
ABU DHABI (opened 2009)	600,261
ABUJA	556,374
ADDIS ABABA	898,685
ANKARA	422,633
ATHENS	525,292
ATLANTA (opened 2010)	26,885
BEIJING	841,615
BERLIN	930,500
BERNE	450,170
BOSTON	392,032
BRASILIA	579,964
BRATISLAVA	354,215

[Deputy Eamon Gilmore.]

Mission	2010
BRUSSELS (EMBASSY and P.F.P.)	930,301
BRUSSELS (PR-EU)	4,194,314
BUCHAREST	457,869
BUDAPEST	444,950
BUENOS AIRES	454,202
CAIRO	460,651
CANBERRA	788,271
CARDIFF (closed 2009)	—
CHICAGO	342,853
COPENHAGEN	448,180
DAR ES SALAAM	720,238
DILI	148,716
EDINBURGH	236,941
FREETOWN	199,440
GENEVA	1,142,564
HANOI	607,332
HELSINKI	539,507
HOLY SEE	455,820
KAMPALA	1,140,515
KUALA LUMPUR	409,445
LILONGWE	445,750
LISBON	376,459
LJUBLJANA	451,370
LONDON	3,702,234
LUSAKA	1,097,048
LUXEMBOURG	724,074
MADRID	1,106,768
MAPUTO	983,406
MASERU	512,812
MEXICO	528,437
MOSCOW	1,064,758
NEW DELHI	967,485
NEW YORK — C.G.	1,915,099
NEW YORK- PMUN	2,081,792
NICOSIA	419,656
OSCE — VIENNA	504,823
OSLO	601,640
OTTAWA	590,775
PARIS (incl OECD)	1,817,710
PRAGUE	612,292
PRETORIA	1,111,600
RAMALLAH	354,106
RIGA	360,659
RIYADH	381,231
ROME	1,180,581
SAN FRANCISCO	428,014
SEOUL	833,161

Mission	2010
SHANGHAI	667,532
SINGAPORE	833,820
SOFIA	367,670
STOCKHOLM	591,585
STRASBOURG	424,895
SYDNEY	587,275
TALLINN	415,288
TEHRAN	417,048
TEL AVIV	623,858
THE HAGUE	921,078
TOKYO	1,637,651
VALLETTA	372,090
VIENNA	662,725
VILNIUS	425,124
WARSAW	842,848
WASHINGTON DC	1,329,159

### Departmental Properties

44. **Deputy Peadar Tóibín** asked the Tánaiste and Minister for Foreign Affairs and Trade the numbers and locations of his Department's buildings that are currently in upwardly-only rent review contracts; and the rents for 2008, 2009, 2010 and the expected rents for 2011. [21889/11]

45. **Deputy Peadar Tóibín** asked the Tánaiste and Minister for Foreign Affairs and Trade the numbers and locations of buildings his Department leases that are in upwardly-only rent contracts; and the amounts of these rents for 2008, 2009, 2010 and the expected rents for 2011. [21890/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 44 and 45 together.

The rent contracts in relation to all properties in the State occupied by the Department of Foreign Affairs and Trade are negotiated by the Office of Public Works (OPW). In addition, 110 properties are rented by my Department outside the State for use primarily as offices and official residences. Rental agreements vary from country to country in accordance with local law and practice. Leases are usually for a fixed period and many include rent review clauses. Rent increases on renewal of leases are generally in line with the Consumer Price Index (CPI) of the particular country. Rent levels abroad are reviewed each year. In addition, in the current economic climate, all our Missions are routinely instructed to explore the scope for negotiated reductions, having regard to local market conditions.

### Human Rights Issues

46. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade the position regarding a case (details supplied) in the USA, in view of the fact that the Government needs to support it. [21936/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Deputy is referring to five Cubans known as the "Miami five", who were convicted in the United States

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in 2001 on charges ranging from espionage to first degree murder. The convictions of these individuals were upheld on appeal in 2008. While I am aware of the ongoing campaign for the release of these individuals, the Government has no standing in this matter, which is a bilateral consular question between the United States and the Cuban authorities.

### Northern Ireland Issues

47. **Deputy Finian McGrath** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will support the case of a person (details supplied) in Northern Ireland. [21966/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I am aware of the case to which the Deputy refers. As I said in my response to Question No. 99 of 5 July 2011 tabled by Deputy Éamon Ó Cuív, I understand that the prisoner in question has initiated legal proceedings with a view to obtaining early release. As the matter is currently before the courts, it would not be appropriate for me to comment any further at this stage other than to confirm that my officials continue to monitor developments.

### National Lottery Funding

48. **Deputy Paudie Coffey** asked the Tánaiste and Minister for Foreign Affairs and Trade the amount of National Lottery funding his Department received in 2009 and 2010; and if he will provide a list of the money that was spent in tabular form. [21977/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department has received no funding from the National Lottery during the period in question.

### Overseas Missions

49. **Deputy Maureen O'Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has satisfied himself with the presence of a group of Defence Forces personnel with EUTM Somalia in view of the recent report by Amnesty International on the presence of a secret CIA detention centre in Somalia. [21988/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Ireland's participation in EUTM Somalia is part of a larger effort to support, together with our EU partners, the creation of functioning, stable institutions in Somalia, without which there is little prospect of political progress in that country. The EU is also supporting the Transitional Federal Institutions in an effort to encourage dialogue within Somalia as a whole, and to enable an inclusive settlement. The humanitarian problems which afflict Somalia are greatly magnified by the lack of government structures capable of meeting even the most basic needs of the Somali population. Recognising the need for the Transitional Federal Government of Somalia (TFG) to gain control of its territory, the United Nations, in Security Council Resolutions 1872 (2009) and 1910 (2010) called on the international community to provide technical assistance towards the training and equipping of the Somalia National Security Forces. The European Union established its training mission to Somalia (EUTM) in response to this call. The original mandate of the mission was to train 2,000 selected Somali recruits in two intakes over a twelve month period. This training, which was recently completed, took place in the Bihanga Camp in Uganda. The EU is now examining options to extend this mission, including refocusing the mission on developing command and control structures for the Somali National Security Forces.

Following Government approval on 23 February 2010, a Defence Forces team of five personnel, comprising two officers and three Non Commissioned Officers (NCOs), deployed to the

mission in April 2010, as part of a joint Irish Defence Forces/Maltese Armed Forces training team. On 28 June 2011, the Government approved the continued provision of approximately 5 members of the Permanent Defence Force to serve with the mission for a further period of one year beyond August 2011, subject to an appropriate decision of the Council of the European Union authorising the extension of the mission.

I am satisfied that the provision of training to the Somali National Security forces is supported by the United Nations and is specifically provided for in relevant Security Council Resolutions 1872 (2009) and 1910 (2010). The role of the mission is consistent with the provisions of both UN Resolutions. The deployment of members of the Defence Forces in a training role to the EUTM Somalia is consistent with Defence legislation.

Ireland recognises that there can be no purely military solution to the crisis in Somalia. We are strongly supportive of a comprehensive approach to tackling the problems of the region. An important element will be to restore political stability in Somalia, but it will also be necessary to improve livelihoods and economic opportunities, and to develop the rule of law. The EU is preparing a strategy to assist states in the Horn of Africa region to address these and other problems in a comprehensive way.

### **Human Rights Issues**

50. **Deputy Maureen O’Sullivan** asked the Tánaiste and Minister for Foreign Affairs and Trade his views on the request of the British Government to allow the injured Iranian refugees in Camp Ashraf to avail of medical treatment here and the request that the Iraqi Government provide this treatment. [21989/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I have already expressed on a number of occasions my deep concern at reports of the use of force against Camp Ashraf residents in Iraq resulting in loss of life and serious injuries. The primary responsibility for the protection and human rights of all persons resident on its territory, including Camp Ashraf residents, rests with the government of Iraq. Ireland fully recognises Iraqi sovereignty over the whole of its territory, including Camp Ashraf, but this sovereignty also carries with it responsibilities. I therefore fully agree that the Iraqi authorities should either offer medical treatment to those seriously injured in Camp Ashraf or facilitate their treatment in another jurisdiction. I understand that the British government has not offered medical treatment to date and any such decision is a matter for that government. I would like to reiterate that Ireland and the EU are determined to seek a long-term and peaceful solution to the predicament of the residents of Camp Ashraf. The EU Foreign Affairs Council discussed the situation at Camp Ashraf on 23 May, emphasising the need to respect human rights. I fully support the view widely held within the Council that we must work with the UN (including the UN High Commissioner for Refugees) and US in particular, to seek a lasting resolution to this situation.

HR Ashton has clearly set out the EU position, including a strong condemnation of the recent violence in Camp Ashraf, and has conveyed this position in writing and by telephone to Iraqi Foreign Minister Zebari. I particularly endorse HR Ashton’s renewal of the EU’s repeated call on the Iraqi government to refrain from the use of violence and to show full respect for the human rights of Camp Ashraf’s residents. I also strongly support, and reiterate today, her call for a thorough and independent inquiry into the events of 8 April.

Along with our EU partners, Ireland will continue to support clear messages to the Iraqi authorities that while there are no easy remedies to the situation in Camp Ashraf, force or other violations of human rights are not the answer. In actively seeking a solution, Ireland and

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its EU partners will continue to work with international institutions and partners, while calling upon the Iraqi government to protect the human rights of the residents of Camp Ashraf (including ensuring the provision of all necessary medical treatment), to grant access to independent international observers, to show restraint, and to seek a peaceful and sustainable solution.

### **Diplomatic Representation**

51. **Deputy Kevin Humphreys** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a sum in euro of the value of trade conducted between Ireland and the Holy See for 2010; if he will also provide the number of staff employed at the embassy in 2010; the operational cost for 2010; his views whether this cost and the amount of economic activity justify the continued operation of a full embassy at the Vatican in this time of austerity when Ireland needs to get the best value for money from the budget designed for operating embassies and trade missions abroad, especially in the context that our mission to the Holy See only serves that State and no other sovereign nation or international body; and if he will make a statement on the matter. [22006/11]

52. **Deputy Kevin Humphreys** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will consider the sale of the building used as the embassy of Ireland to the Holy See as a cost-saving measure and, following that, request the Vatican to recognise our ambassador to the Italian Republic, who also serves as our ambassador to Malta, Libya and San Marino and also Ireland's permanent representative to the Food and Agriculture Organisation, the World Food Programme and the International Fund for Agricultural Development as our representative to the Holy See; and if he will make a statement on the matter. [22007/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I propose to take Questions Nos. 51 and 52 together.

Decisions relating to the size and scale of the Irish diplomatic network area matter for consideration by the Government. The Vatican is not a significant economic entity and the promotion of foreign trade has never been a reason for maintaining our Embassy to the Holy See. By comparison, our Embassy to the Italian Republic, also located in Rome, is highly active in the promotion and development of bilateral trade. In 2010, Italy was Ireland's tenth largest merchandise trading partner with merchandise trade valued at €3.5bn.

The main purpose of our Embassy to the Holy See is twofold. First, to maintain a permanent point of contact with the headquarters of the Roman Catholic Church, which continues to be the stated religious denomination of a substantial majority of Irish citizens and whose actions and policies have a direct impact and influence on Irish society.

Second, is to maintain ongoing relations with a significant global political entity which has diplomatic relations with 179 states. The Holy See has one of the largest diplomatic corps in the world, making the Vatican an important listening post and crossroads on a range of global social, political and international issues of interest to Ireland, including human rights, development, disarmament and conflict resolution.

The overall operating budget figures for the Embassy of the Holy See in 2010 was €455,820. This figure relates to local salary costs, travel, post and telecommunications, office machinery, office premises expenses and incidental expenses. In 2010, five staff were employed at the Mission, comprising 3 locally employed staff and 2 diplomatic staff. It should be noted the Vatican does not accept the accreditation of an Ambassador who is also the Ambassador to the Italian Republic. Neither will it accept the accreditation of an Embassy with the same

address as the Embassy to the Italian Republic. Regardless, therefore, as to whether or not Ireland maintains a dedicated Embassy to the Holy See situated in Rome, appointing our Ambassador to the Italian Republic to be, at the same time, our Embassy to the Holy See, is not an option.

The scale and presence of the Irish diplomatic network is currently being reviewed, along with all aspects of my Department's operations, as part of the Government's Comprehensive Review of Expenditure. Given the current budgetary situation, and recognising the role that our diplomatic network is playing in Ireland's economic recovery, adjustments to our diplomatic network will continue to be strategically focused. In short, all our Missions abroad must continue to deliver benefits for Ireland and must do so in a manner that represents good value for money.

Consideration of proposals to reduce our diplomatic network must balance any potential financial savings against the operational and reputational costs that would be incurred, including undermining our ability to influence the policies of the state in question and writing off investments made over years in the bilateral relationships with the countries in question. At a time when Ireland needs as much international support and cooperation as possible, it is important to get these decisions right.

### **Passport Applications**

53. **Deputy Michael Creed** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of applications made to him for travel documentation by Irish citizens for children born through surrogacy; the number of travel documents issued; and if he will make a statement on the matter. [22088/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department is currently in contact with nineteen families in relation to travel documents for children born through surrogacy. Of this number, eight requests relate to general information in respect of obtaining travel documents, at a future date, for children not yet born. Of the remaining families, seven have obtained an Irish travel document and, in four instances, families have obtained a travel document from another country. As I indicated in my reply to question number 20180 of 13 July last, a range of Irish laws relating to the areas of citizenship, guardianship, consent for the child to travel and other parental rights must be comprehensively addressed by applicants before any travel document may issue. It will not be possible to issue a passport (including an emergency passport) to a child born through surrogacy unless these questions of citizenship, guardianship and parental rights are comprehensively addressed. They may therefore wish to make appropriate provision for the child, on such matters as accommodation and medical care/insurance etc., to remain in the country of birth until such time as a travel document can issue. The Department of Foreign Affairs and Trade strongly advises Irish citizens arranging to have a child by surrogacy to engage the services of a lawyer to deal with all the complex issues involved.

### **Departmental Funding**

54. **Deputy Shane Ross** asked the Tánaiste and Minister for Foreign Affairs and Trade the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22265/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** Funding of €50,000 was provided in 2009/10 to Equal Ireland through the Development Education Funding

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Scheme administered by Irish Aid. Equal Ireland is a non-profit charitable trust founded in 2001 by IBEC, FÁS and SIPTU. It provides training for disadvantaged adults who have not completed second level education. The funding promoted the integration of development education into Equal Ireland training programmes.

### Appointments to State Boards

55. **Deputy Anne Ferris** asked the Tánaiste and Minister for Foreign Affairs and Trade the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22477/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** There are no State boards under the aegis of my Department. There are four bodies operating under my Department to which I make appointments. These are: the Development Education Advisory Committee; the Irish Aid Expert Advisory Group; and the Emigrant Services Advisory Committee; the Ireland — United States Commission for Educational Exchange (the Fulbright Commission).

Information on appointments to the bodies including gender breakdown is included below. While the balance varies between bodies and over time, taken together, the current membership comprises 57% men and 43% women.

Body	Year	Male	Female	Total
The Board of the Ireland — United States Commission for Educational Exchange — (The Fulbright Commission)	2010	1	2	3
Development Education Advisory Committee	2010	4	6	10
Irish Aid Expert Advisory Group	2010	4	2	6
Emigrant Services Advisory Committee — note: two Officers of the Embassy in London also serve on the Committee.	2011	8	3	11

### Departmental Equipment

56. **Deputy Dara Calleary** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22490/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department has 279 computer servers across its offices in Ireland and Missions abroad. Each of these servers is owned by the Department. Server capacity falls into the following ranges:

- Up to 200 gigabytes — 98 servers.
- Between 200 gigabytes and 1 terabyte — 160 servers.
- Greater than 1 terabytes — 21 servers.

There are no State agencies under the aegis of my Department.

### Human Rights Issues

57. **Deputy Joe Costello** asked the Tánaiste and Minister for Foreign Affairs and Trade his



position on the treatment of an organisation (details supplied) in China; and if he will make a statement on the matter. [22529/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Government is concerned about the treatment of Falun Gong practitioners in China. Freedom of religious belief and expression is an issue which is discussed regularly with the Chinese authorities during both bilateral meetings and at European Union level. At these meetings, the Government re-iterates the great importance Ireland attaches to human rights, fundamental freedoms and the rule of law and urges the Chinese authorities to ratify the International Covenant on Civil and Political Rights without further delay.

Human rights issues are a constant and important point of dialogue between the European Union and the Chinese Government and are dealt with through the framework of the EU-China Human Rights Dialogue. This broad-ranging dialogue has allowed the European Union to engage with China on issues such as freedom of expression, the death penalty, the independence of the judiciary, prison conditions, freedom of religion and minority rights. The last session of the Dialogue took place on 16 June in Beijing at which concerns regarding the treatment of Falun Gong practitioners were again raised with the Chinese Government.

For its part, Ireland will continue to actively raise human rights issues and individual cases of concern with the Chinese authorities.

### Departmental Expenditure

58. **Deputy Olivia Mitchell** asked the Tánaiste and Minister for Foreign Affairs and Trade if he has, in view of the change of name of Departments, procured a new logo for his Department, new signage and any other branding such as stationery and so on; if so, the cost of same; and if he will make a statement on the matter. [22557/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** I have not procured a new logo for my Department. Extra costs arising from changes to stationary necessitated by the change in the Department's name have been kept to a minimum through use of computer-based templates rather than an external print order. The change in name will be reflected when the next normal renewal of stock takes place. With regard to replacement signage necessitated by the name change, this has cost €5,066 to date.

### Departmental Bodies

59. **Deputy Joe McHugh** asked the Tánaiste and Minister for Foreign Affairs and Trade the number of quangos, agencies and authorities that were established by his Department in each of the years 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22582/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** No State Agencies currently operate under the aegis of my Department. The only semi-state body that operated under my Department during the period in question was the Agency for Personal Service Overseas (APSO), which was established in 1973 and was integrated into my Department on 1 January 2004.

The following bodies which operate, or operated, under the aegis of my Department, were established between 1997 and 2011:

- the Irish Aid Expert Advisory Group — established 2010;

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- the Development Education Advisory Committee — established 2003;
- the Audit Committee of the Department of Foreign Affairs — established 2003;
- The Hunger Task Force — established 2007 (ceased to exist after reporting in September 2008);
- the Advisory Board for Irish Aid (ABIA) — established 2002 (ceased to exist in October 2008).

These bodies employ no staff and their administration is serviced directly from my Department. With the exception of the Hunger Task Force, members of which received a payment, all other members of committees serve in a voluntary capacity.

The number of staff employed in 1997 was 981. In January 2011, the number of staff was 1181.55. These figures exclude the number of locally-engaged staff, which is currently approximately 300.

Increases in my Department's staffing complement over this 14-year period are largely attributable to the:

- recruitment of additional staff for the Passport Service to enable it to cope with annual increases in the demand for passports;
- expansion of the Irish Aid overseas development programme. The total budget administered by Irish Aid in 1997 was €114 million compared to €524 million in 2011.

I should also inform the Deputy that my Department is obliged to shed a total of 177 posts over the period March 2009 to end December 2014 under the Government's current Employment Control Framework.

### **Consultancy Contracts**

60. **Deputy Joe McHugh** asked the Tánaiste and Minister for Foreign Affairs and Trade if he will provide a report of the number consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22599/11]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The Department of Foreign Affairs and Trade is responsible for two Votes — Vote 28 (Foreign Affairs) and Vote 29 (International Cooperation). It is not possible to provide all the information requested in the timeframe provided. However, I would refer the Deputy to questions 22473/05 and 27606/08 which also address this issue. The following table sets out, for both Votes, the details of consultancy reports commissioned by my Department from 2007 to 2011 and the costs in each case. Given the volume of reports involved, it is not possible to give details on recommendations and their implementation. However, I would be happy to provide further information on any of the reports that are of particular interest to the Deputy.

My Department commissions outside expertise where the specialised knowledge and/or skills are not available within the Department and where the effective management and evaluation of programmes necessitates the presence of such skills. During the course of their engagements these consultants/experts may prepare reports and other documentation which are included in the table below.

In addition to the information provided in tabular format, the Advisory Board for Irish Aid (ABIA) commissioned research programmes as part of its remit to undertake policy relevant

international research. In 2008, a three year framework agreement was signed with the Institute for International Integration Studies (IIIS) at Trinity College Dublin (TCD) to undertake three research projects around Policy Coherence for Development. The total cost of the three projects was € 301,889 and the Framework contract ran until 2010. No further research projects were commissioned in 2009 or later.

My Department is very conscious of the need to achieve value for money and is in full compliance with national and EU procurement regulations concerning tendering requirements.

## VOTE 28 CONSULTANCIES 2007 — date

2007

Name	Description	€
CORNWELL CONSULTANTS	Development of technical specifications and tender documents for the support and maintenance contract for the Automated Passport System.	19,965
EUGENE DOWNES	Management of cultural events on state and official visits abroad	9,884
IPA	EU — technical advice and management of bilateral assistance programme for new EU Member States and EU candidate countries.	20,469
RITS	Technical advice on the maintenance and development of the Department's ICT security infrastructure.	151,250
SYSNET LTD	ICT security issues —review for Automated Passport System	28,133

2008

Name	Description	€
A. AGNEW	Preparations for Archiving	692
CORNWELL CONSULTANTS	Technical services to assist delivery of Automated Passport and Visa systems	12,251
EDWARD DELANY & ASSOCIATES	Management Seminar	2,662
FARRELL GRANT SPARKS	Related to the Irish Aid Management Review	24,200
H. SWIFT	Preparations for Archiving	1,838
LONG ROAD PRODUCTIONS LTD	Management of cultural events on state and official visits abroad	12,584
PA CONSULTING GROUP	ICT consultancy services, for development of grant management system.	1,815
RITS	Technical advice on the maintenance and development of the Department's ICT security infrastructure.	170,997
SYSNET LTD	Security review of the automatic passport system	1,150
MILLWARD BROWNE	Research Project to establish reasons underlying the result of the Referendum on the Lisbon Treaty	138,061
RICHARD SINNOTT, JOHAN A ELKINK, KEVIN O'ROURKE AND JAMES McBRIDE	Report on Attitudes and Behaviour in the Referendum on the Treaty of Lisbon	11,800
COMMUNICATIONS CLINIC	The preparation of a detailed Communication Action Plan to be used to direct spending under the Department's Communicating Europe Initiative in 2009	48,000

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2009

Name	Description	€
J O'REGAN	Audit of DFA Travel and Subsistence Budget	18,954
LONG ROAD PRODUCTIONS LTD	Management of cultural events on state and official visits abroad	12,709
RITS	Technical advice on the maintenance and development of the Department's ICT security infrastructure	26,762
MILLWARD BROWNE	Fieldwork for survey to investigate opinions and attitudes to the European Union	30,253
RICHARD SINNOTT, JOHAN A ELKINK AND STEPHEN QUINLAN	Report on Attitudes and Behaviour in the Second Referendum on the Treaty of Lisbon	11,362

2010

Name	Description	€
RITS	Technical advice on the maintenance and development of the Department's ICT security infrastructure	46,843
T. TAAFFE	Professional accounting fees	1,100
MACAULEY ASSOCIATES NETWORK	Consultation with funded groups and stakeholders of the Reconciliation and Anti-Sectarianism Funds	7,118

## VOTE 29 CONSULTANCIES 2007 — date

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2007	Achilles	Provision of high level advice and support on procurement issues	19,000.00
2007	Achilles	Secondment of external expertise to provide specialist knowledge on Procurement issues	25,000.00
2007	Aidan Pender	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Aine Costigan	Provision of Technical Support on HIV/AIDS, April-Dec 2007	12,500.00
2007	Aisling Swaine	Technical Advice on the Appraisal, Development and Evaluation of Gender Equality Policy with special emphasis on empowerment of women and gender based violence	80,000.00
2007	Andre Barsony	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Ann Pesic	External appraisal and technical support to the Partnership Programme for Europe and Central Asia Funding Committee	25,000.00
2007	Anna Matveeva	External appraisal and technical support to the Partnership Programme for Europe and Central Asia Funding Committee	10,625.00
2007	Anne Anameela	Support to HIV/AIDS Advisers Meetings	2,820.47
2007	Anne Conroy	Implementation and Monitoring of Ireland's Recovery Programme in Malawi — Jan-Mar 2007	10,000.00

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2007	Anne Holmes	Technical Consultant to advise on lessons arising from Tsunami Follow Up	32,000.00
2007	Aodh O'Connor	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007 — March 2009.	40,000.00
2007	Art Fell	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Bannon & Bannon	Hunger Task Force — Communications	27,104.00
2007	Bernard McLoughlin	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Bernard Wood	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	18,000.00
2007	Bernie Crawford	External Member of Fellowships Selection Committee Meetings	3,500.00
2007	Brendan Tuohy	Consultancy in the area of science and technology in Mozambique (particularly information technology — ICT)	3,200.00
2007	Cathal Higgins	Technical Support to the Zambia/Ireland Teacher Education Initiative April-July 2007 Team Leader	20,570.00
2007	Cathy Gaynor	Technical Consultant for the Multi-Annual Programme Scheme, November 2006 to October 2008	31,500.00
2007	Ciaran McLogan HELM Corp.	Public Financial Management Training in Maseru for Irish Aid Staff from Zambia and Lesotho Programmes — June 2007	24,000.00
2007	Daire Higgins	Irish Aid Centre Public Relations and Client Outreach Consultant	38,500.00
2007	Deirdre Farrell	Provision of external expertise to Development Education Grants Committee	5,000.00
2007	Development Initiatives	Technical support to advance Irish Aid understanding of / approach to vulnerability reduction.	93,351.50
2007	Diarmuid McClean	Provision of Technical Support on Health and HIV/Aids in area of R&D for new drugs, vaccines and microbicides	105,000.00
2007	Dr. Geraldine McDonald	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007 — March 2009	40,000.00
2007	Dr. Nick Chisholm,	Support to the Government Hunger Task Force	29,250.00
2007	Dr. Margaret Fitzgerald	Health Consultant to assist in recruitment to the Rapid Response Corps	1,750.00
2007	Dr. Sean Drysdale	Provision of Public Health Specialist Support throughout IA Programme	81,857.00
2007	E O'Reilly	Management and Facilitation of Irish Aid funded Internship Programmes	6,050.00
2007	Eleanor O'Gorman	Consultant to provide technical support to Conflict Resolution Unit	54,450.00
2007	FGS Consulting Ltd	Value for Money and Policy Review Study in Irish Aids HIV / AIDS expenditure	163,350.00
2007	Fitzpatrick Associates	Consultancy to determine how the lessons of Ireland's economic and social development can be formulated for delivery as part of Ireland's cooperation programme in SE Asia.	56,625.00
2007	GDSI (O Broderick)	Management and Facilitation of Irish Aid funded Internship Programmes	6,050.00

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Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2007	Helen O'Neill	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Hunter McGill	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	15,000.00
2007	James Polhemus	Provision of Technical Support to the Appraisal, Promotion, Development of Good Governance Policy and Programmes	40,000.00
2007	James Saunderson	Support to Rapid Response Register of experts as part of Rapid Response Initiative	31,000.00
2007	Jill Nesbitt	Support to Irish Aid Centre	32,500.00
2007	Jim Cannon	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund	50,625.00
2007	Jim Kinsella	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Jim Sheehan	Consultant to engage in appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007 — March 2009	24,200.00
2007	Joanne Manchester	Provision of Technical Support on HIV/AIDS, April-Dec 2008	12,500.00
2007	John Shiels	External appraisal for the Partnership Programme for Europe and Central Asia Funding Committee	18,125.00
2007	Johnny O'Regan	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009.	40,000.00
2007	K Rothwell	Management and Facilitation of Irish Aid funded Internship Programmes	45,980.00
2007	Kate Dyer	Support to the revision of Irish Aid's Country Strategy Planning (CSP) Guidelines and Procedures	36,350.00
2007	Kevin Moore	Consultant to assist in development and implementation of Irish Aid Private Sector Policy and Programmes	20,000.00
2007	Liverpool Associates in Tropical Health (LATH)	Programme Planning Liberia and Sierra Leone	15,700.00
2007	Luis Bran	Local Consultant to provided technical support to Irish Aid Civil Society Programme in Central America Feb 07-Dec 08	24,000.00
2007	M Dwan	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009.	24,200.00
2007	Margaret Fitzgerald	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Margaret Gaynor	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009.	40,000.00
2007	Margaret Gaynor	Support Irish Aid in the Areas of Vulnerability and Infrastructure	30,400.00
2007	Marie Smith	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009	24,200.00

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2007	Martina Collins	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund	50,625.00
2007	Mary Buckley	Facilitation of Rapid Response Initiative Recruitment Process — March 2007	3,000.00
2007	Mary Jennings	Technical Consultant for the Multi-Annual Programme Scheme, November 2006 to October 2008	31,500.00
2007	Mary McCann	Local Consultant to provided technical support to Irish Aid Civil Society Programme in Central America Feb 07-Dec 08	24,000.00
2007	Mary McKeown	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	6,500.00
2007	Mary McKeown	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009	40,000.00
2007	Maura Leen	Consultant to advise Programme of Strategic Co-operation between Irish Aid and Higher Education and Research Institutes	5,000.00
2007	Maura Leen	Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	6,500.00
2007	Messrs. Grosso Maldonado	Legal Advices regarding the establishment and operation of the Rapid Response Initiative	2,000.00
2007	Mgt Curtin	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009	24,200.00
2007	Morina O'Neill	Support to Irish Aid Centre	32,500.00
2007	Mr. Alais Ole Morindat	Consultant to engage in International Community for the relief of Starvation and Suffering (ICROSS) Review April-May 2007	3,500.00
2007	Mr. David Farirai	Review of Irish Aid Support to the National Student Financial Aid Scheme (NSFÁS), South Africa	6,250.00
2007	Mr. John Shiels ARP	Consultant to carry out review of the Irish Aid Fellowship Training Programme	40,600.00
2007	Mr. Johnny O'Regan	Provision of Audit Management Support to the Evaluation and Audit Unit, 31 March 2007—31 Mar 2008	58,080.00
2007	Ms Amber de Vries INTRAC	Review of the Irish Missionary Resource Service (IMRS)	49,000.00
2007	Ms Ann Nolan	Provision of Technical Support on HIV/AIDS, April 2007-31 July 2007.	36,000.00
2007	Ms Ann Nolan	Provision of Technical Support on HIV/AIDS, Sep 2007-31 Jan 2008.	45,000.00
2007	Ms Kate Dyer	Consultant to assist in launch of Irish Aid's Tanzania Country Strategy Paper for the period 2007 to 2010	2,400.00
2007	Ms. Janet Hayes OPM	Technical and Research Support to the Irish Aid Hunger Task Force	36,000.00
2007	Muriel Visser	Technical support on HIV/AIDS and Education 31 May 2007-30 May 2008	24,000.00
2007	P Regan	Management and Facilitation of Irish Aid funded Internship Programmes	45,980.00
2007	Paul Callan Dalberg	Mapping of Irish Aid Approval Processes	40,000.00
2007	Platinum One	Conference Organiser at Irish Aid/ World Bank Institute Forum on Innovation — Dublin Castle	9,982.00

[Deputy Eamon Gilmore.]

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2007	Roberto Ed. Martinez	Maintenance of Irish Aid Spanish Language website in Central America	2,370.00
2007	Roger Briottet	International Jurist for observation of trial of opposition leadership, civil society and media representatives in Ethiopia	30,000.00
2007	Rosemary McCreery	Participation in Project Appraisal & Evaluation Group (PAEG) Meetings 2006-2008	13,000.00
2007	Rothwell Performance Consulting	Piloting of Organisational Assessment Guidelines.	45,980.00
2007	Rowan Oberman	Consultant to develop Irish Aid Centre Groups' Programme	10,500.00
2007	Sean Courtney	Temporary Assignment as Programme Coordinator of Irish Aid Development assistance based in Northern Province Zambia	24,000.00
2007	Sherry Mclean	Draw down consultancy for the support of Regional HIV Programme in Africa.	15,000.00
2007	Simon Chiputa	Local Consultant Support to the Zambia/Ireland Teacher Education Initiative April-July 2007 Team Leader	2,000.00
2007	Siobhan Mullally	Independent/External Mid-term Evaluation of the Justice System Programme in Timor Leste August 2007	7,500.00
2007	Sorley McCaughey	Support to Governance and Local Development Advisers Meetings	2,722.50
2007	Terry Allsop	Technical Support to the Zambia/Ireland Teacher Education Initiative.	16,940.00
2007	Tom Crowley	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009	40,000.00
2007	Una Murray	Appraisal, approval and monitoring of applications to Civil Society Fund and Micro Projects Fund, March 2007-March 2009	20,000.00
2007	Una Murray	Facilitating action planning on gender based violence with joint consortium gender based violence.	6,050.00
2008	Achilles	Provision of Specialist Procurement Assistance	25,000.00
2008	Achilles Procurement Services Ltd	Provision of technical expertise re Procurement Issues.	10,000.00
2008	Aine Costigan	Provision of Technical Support on HIV/AIDS, April-Dec 2008	12,500.00
2008	Aisling Swaine	Protection Consultant for Rapid Response Corps Interview board	1,200.00
2008	Aisling Swaine	Technical Advice on Development, Monitoring and Evaluation of Gender Equality Policy with special emphasis on empowerment of women and gender based violence	90,000.00
2008	ANJO Consulting Ltd	Management Agent for the Civil Society Support Programme in Ethiopia	20,000.00
2008	Ann Holmes	Technical Consultant(s) supporting the work of Emergency & Recovery Section	29,750.00
2008	Anna Matveeva	Support Partnership Programme for Europe and Central Asia	9,000.00
2008	Anne Gallagher	Facilitation of Economist Workshop on 3 & 4 March 2008	2,000.00
2008	Anne Gallagher	Facilitation Education Forum on Global Monitoring Report 2008 February 14th 2008	2,000.00



Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2008	Anne Holmes	Humanitarian Consultant for Rapid Response Corps Interview Board	1,200.00
2008	Anne Nolan	Provision of Technical Support on HIV/AIDS, with emphasis on policy and programme planning and implementation	103,455.00
2008	Aoife Helly	Review of Irish Aid website	5,000.00
2008	Bob Meggary	ICT Support Consultancy	5,000.00
2008	Brian Barrington	Conflict Resolution Unit Security Sector Reform Consultant	25,000.00
2008	Brian McCarthy	Support Partnership Programme for Europe and Central Asia	16,000.00
2008	C Gaynor/K Dyer	Consultancy To Support The Roll Out, Implementation And Institutionalisation Of Irish Aid's Revised Country Strategy Paper (CSP's) Guidelines And Procedures	290,000.00
2008	Cathy Gaynor & Mary Jennings	Support of Mainstreaming Strategy and Practices within Irish Aid	22,500.00
2008	Cruzeiro do Sul	Technical support for poverty analysis of Inhambane region in Mozambique by Civil Society Organizations	6,730.00
2008	D McClean	Consultant to provide technical support in area of HIV/AIDS with emphasis Policy and Programme planning and implementation	90,000.00
2008	Danny Rowan	Rapid Response Corps Interview Panel	162.50
2008	David Weakliam	Consultancy for Technical Support to Irish Aid in Health and HIV	14,000.00
2008	Debbie Thomas	Prepare Child Beneficiary Case Study Report for Global Forum on Children Affected by HIV and Aids	10,000.00
2008	Deirdre Farrell	Support to Development Education Grants Committee	10,000.00
2008	Deogratias Peter Mutalemwa	Senior Advisor to the Tanzanian Co Chair of Accra High Level Forum on mutual accountability	30,800.00
2008	Diarmuid McClean	Health Consultant for Rapid Response Corps Interview Board	500.00
2008	Ellen Pieterse	Consultant, Public information Officer	5,000.00
2008	European Forum for International Mediation and Dialogue	Conflict Resolution Unit Consultant	19,800.00
2008	Frank Murray	Consultant to support Management Review of Irish Aid	14,880.00
2008	Gerald Cawley	Consultant to advise and provide technical support on issues surrounding provision of Budget Support by Irish Aid	60,000.00
2008	Gernot Premper	Technical Support for Irish Aid's Spanish language Website in Central America	10,080.00
2008	Grace Wells	Production of a Storybook on Irish Aid for Primary schoolchildren	7,000.00
2008	Gregory Smith	Consultancy for General Budget Support and Public Financial Management	98,800.00
2008	Helen O'Neill	Assessment of United Nations Industrial Development Organisation (UNIDO) as potential partner for Irish Aid	4,000.00

[Deputy Eamon Gilmore.]

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2008	Helen O'Neill	External Development Cooperation Expert, Irish Aid EU Accession States Mentoring Programme	4,950.00
2008	Highly Visual Company Ltd	Short Term Communication Consultancy Updating of Irish Aid Tanzania fact sheet	19,000.00
2008	HLSP Ltd	Drafting of publication for like-minded health group: SWAP+ Lessons and Opportunities	20,000.00
2008	INTRAC	Technical Consultant for Multi-Annual Programme Scheme	31,500.00
2008	ITAD	Preparation and Delivery of an Awareness Raising Seminar and Training Session on the Poverty Impact Assessment (PIA) Methodology	5,000.00
2008	Joanne Manchester	Provision of Technical Support on HIV/AIDS, April-Dec 2008	12,500.00
2008	John Geraghty	Facilitation of Joint Economist Workshop and Food and Livelihood Security Meetings 5-7 March 2008	3,500.00
2008	John Grindle	Development Specialist Interview Board	3,000.00
2008	Johnny O Regan	Provision of Audit Management Support to the Evaluation and Audit Unit, 31 Oct 2007-31 Dec 2008	35,000.00
2008	Kate Dyer	Consultant to assist in promotion of Management for Development Results Programme	5,000.00
2008	Kate Dyer	Conduct annual review workshop for Irish Aid's Tanzania CSP for the period 2007-2010	6,000.00
2008	Kevin Moore	Private Sector Development Sector Assignment Consultancy	55,000.00
2008	Liam Wegimont	Development Education Grants Committee	2,000.00
2008	Margaret Fitzgerald	Provision of Technical Support on Health and HIV/AIDS, 01 July 2008-30 June 2009	30,000.00
2008	Mary Buckley	HR Recruitment Consultancy Emergency & Recovery (E&R) Section	5,000.00
2008	Mary McKeown	External Consultant for the Fellowship Selection Committee	20,000.00
2008	Mary McKeown	Provision of Audit Management Support to the Evaluation and Audit Unit, 31 Oct 2007-31 Dec 2008	35,000.00
2008	Michael Hegarty	Support Partnership Programme for Europe and Central Asia	14,000.00
2008	Mr. Jim O'Leary Department of Economics	Assessment of Value for Money Review of the Passport Service	7,260.00
2008	Ms Beni Oburu	Facilitator for Primary Schools Workshops — June 2008	4,000.00
2008	Naill Roche	Technical Consultant(s) supporting the work of Emergency & Recovery Section	29,750.00
2008	Neil Kennedy	Consultant to engage with Central Bank of Ireland Mission to Vietnam as part of Irish Development Experience Sharing (IDEAS) programme	20,000.00
2008	Nicholas Benequista	Publication Consultant	1,018.19
2008	ODI-Overseas Development Institute	Joint Public Financial Management Training for Irish Aid Staff	25,000.00

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2008	Orla Duke	Technical support in the organisation of the 4th Global Partners Forum (GPF) on Children affected by HIV and AIDS and other HIV and AIDS-related events	29,500.00
2008	Patrick McMullin	Support on Consultative Group on International Agricultural Research (CGIAR)	45,000.00
2008	Paul Murphy	Education Consultant for Rapid Response Corps Interview board	900.00
2008	Paul Murphy	Provision of Technical Support for Education-for- all initiative	10,000.00
2008	Paul Isenman	Consultant to provide support Accra High Level Forum on Aid Effectiveness	4,999.00
2008	Paul Murphy	Provision of Audit Management Support to the Evaluation and Audit Unit, 31 Oct 2007-31 Dec 2008	15,000.00
2008	Platinum One	Global Partners Forum on Children Affected by HIV/AIDS Dublin October 2008	25,000.00
2008	Premium Consulting Limited	Mainstreaming Gender and HIV/AIDS issues in the draft Ugandan Land policy	27,951.00
2008	RGB Consulting (Banon & Banon)	Hunger Task Force — Communications	27,104.00
2008	Roberto Ed. Martinez	Maintenance of Irish Aid Spanish Language website in Central America (January to December 2008) & Promotion of the Website	2,760.00
2008	Roberto Ed. Martinez	Maintenance of DCI Spanish Language website in Central America (January 08 to December 2009)	4,715.00
2008	Sarah Jones	Part-time Africa based Technical Consultant to the Civil Society Section Funding Schemes; Civil Society Fund	24,000.00
2008	Sherry McLean	Support implementation of the South African Country Strategy Plan, 2008-2012, with a particular focus on gender/governance	24,990.00
2008	Sherry McLean	Part-time Africa based Technical Consultant to the Civil Society Section Funding Schemes; Civil Society Fund	24,000.00
2008	Shireen Mahdi	Consultancy Support for Private Sector Tanzania	25,200.00
2008	SHL Ireland Ltd.	Provision of technical expertise in the management and administration of technical recruitment	139,833.00
2008	Vincent McCarthy	Consultancy in the area of science and technology in Mozambique	9,000.00
2009	Aidan Mulkeen	Provision of Technical Support for Education programme	16,000.00
2009	Alan Fitzgibbon	Develop Irish Aid's Uganda Private Sector Component 2010-2014	15,000.00
2009	Beni Karuga	Facilitator for Primary Schools Summer Programme May & June 2009	11,096.00
2009	Bernard McLoughlin	Participation in Project Appraisal and Evaluation Group (PAEG)	16,800.00
2009	Bernard Wood	Participation in Project Appraisal and Evaluation Group (PAEG)	19,872.00
2009	Cathy Gaynor	Technical Consultant for Assessment, Monitoring and Evaluation of Multi Annual Programme Scheme (MAPS) 11; 2009-2011	31,280.00
2009	CR2 Social Development	Participation in Project Appraisal and	15,000.00

[Deputy Eamon Gilmore.]

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2009	Deirdre Farrell	Evaluation Group (PAEG) External consultant for the Development Education Grants Committee Meetings	3,500.00
2009	Dr. Colm Regan	Consultancy steering group for Development Intercultural Education Programme in Irish Aid	21,450.00
2009	Dr. Diarmuid O'Donovan	Technical Support for Engagement with EMVI and representation at Global Forum on Health Research	4,950.00
2009	ESRI	Irish Development Experience Sharing (IDEAS) Programme Vietnam — Provision of Economic Analysis and Forecasting Services	58,113.00
2009	Fitzpatrick Associates	Irish Development Experience Sharing (IDEAS) Programme Vietnam — Provision of Management and Technical Support	35,950.00
2009	Gerald Cawley	Participation in Project Appraisal and Evaluation Group (PAEG)	10,800.00
2009	Helen O'Neill	Participation in Project Appraisal and Evaluation Group (PAEG)	13,200.00
2009	Hunter McGill	Provision of Technical Support for OECD/DAC Peer Review	5,000.00
2009	Hunter McGill	Participation in Project Appraisal and Evaluation Group (PAEG)	18,000.00
2009	INTRAC	Technical Consultant for Assessment, Monitoring and Evaluation of Multi Annual Programme Scheme (MAPS) 11; 2009-2011	16,250.00
2009	ITAD Ltd.	Presentation on Poverty Impact Assessment Seminar Paris	1,500.00
2009	James Saunderson	Recruitment Expert to sit on the Rapid Response Corps. Interview Board	3,000.00
2009	Jim Cannon	Technical Consultant to the Civil Society Funding Schemes: Civil Society Fund	1,366.88
2009	Jim Kinsella	Participation in Project Appraisal and Evaluation Group (PAEG)	14,400.00
2009	Johnny O'Regan	Technical Consultant for Assessment, Monitoring and Evaluation of Multi Annual Programme Scheme (MAPS) 11; 2009-2011	26,000.00
2009	Johnny O'Regan	Provision of Audit Related Services and Evaluation and Audit unit of Irish Aid DFA	15,600.00
2009	Kevin Farrell	Special Envoy for Hunger	37,500.00
2009	Kevin Moore	Technical Expertise in the area of Private Sector Development	42,000.00
2009	Lorraine Whitty	Consultant to provide Interim Administration for Simon Cumbers Media Fund	50,000.00
2009	Margaret Fitzgerald	Participation in Project Appraisal and Evaluation Group (PAEG)	13,200.00
2009	Mary Buckley	Recruitment Consultant to chair the Rapid Response Corps Interview Board	4,000.00
2009	Mary Jennings	Technical Consultant for Assessment, Monitoring and Evaluation of Multi Annual Programme Scheme (MAPS) 11; 2009- 2011	23,460.00
2009	Peter McEvoy	Technical Consultant for Assessment, Monitoring and Evaluation of Multi Annual Programme Scheme (MAPS) 11; 2009-2011	13,000.00
2009	Rowan Oberman	Production of Irish Aid Second Level Schools Resource Pack	4,000.00

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2009	Ruth O'Doherty	External consultant for the Development Education Grants Committee Meetings	3,150.00
2009	Tara Shine	Technical Support for Environment policy and programmes	60,000.00
2009	Tara Shine	Environmental Consultant to provide a training workshop for members of the Rapid Response Corps	500.00
2010	Cathy Gaynor	Multi-Annual Programme Scheme II Evaluation	11,730
2010	Emma Warwick	Review of Irish Aid Emergency Response Fund	4,000
2010	IOD PARC	Evaluation of Irish Aid Multi-Annual Programme Scheme II 2007 to 2011	214,735
2010	John Coughlan	Senior Consultant to Review the Central America Programme	15,677
2010	Luis Bran	Junior Consultant to Review the Central America Programme	13,300
2010	Mokoro	Evaluation of Vietnam Country Strategy Paper	78,637
2010	Mokoro	Evaluation of Irish Aid Zambia Country Strategy Paper 2007-2010	74,850
2010	Paul Isenmann	Consultancy to support the work to advance Mutual Accountability	43,750
2010	SPN & MLC Consulting	Consultancy to Conduct an External Review of Council on Health Research for Development (COHRED)	40,000
2010	Tony Taffee	Consultancy to advise on the upgrade of the Irish Aid Financial Management System.	864
2010	Jim Kiely	Review of Irish Aid Collaboration with Irish Health Research Board	7,500
2010	Dr. Lawrence Mukuka	Evaluation of Zambia National Education Coalition (ZANEC)	5,000
2010	Mokoro	Evaluation of Mozambique Country Programme 2007-2010	91,910
2010	UCG (Nata Duvvury)	Drafting of Irelands National Action Plan on United Nations Security Council Resolution 1325.	13,000
2010	Mary Jennings	Evaluation of Multi-Annual Programme Scheme II	11,775
2010	Rosetti Nabbumba Nayenga	Development of Social Protection Policy Guidance Tool on Gender Analysis of Expanding Social Protection Programme 2010-14 (Uganda)	7,500
2010	John Coughlan	Review of Irish Aid-Ethiopia Partnership with Civil Society Organisations	25,000
2011	Kevin Moore	Support to the Governments of Zambia and South Africa to develop Special Economic Zones for the promotion of inward investment and employment	8,500
2011	Paul Sheane	Support to the Governments of Zambia and South Africa to develop Special Economic Zones for the promotion of inward investment and employment	4,000
2011	Stefanie Meredith	Review of Irish Aid Support for Product Development Partnerships in developing countries.	7,125
2011	Samia Saad	Review of Irish Aid Support for Product Development Partnerships in developing countries.	7,125

[Deputy Eamon Gilmore.]

Year	Consultants (Vote 29)	Project Description	Cost € (contract value)
2011	Paud Murphy	Development Education Reviews — to examine the current funding support and engagement in each of the priority areas identified in the Development Education strategy (primary, post primary, third level, adult, community and youth work)	7,800
2011	80:20	Development Education Reviews — to examine the current funding support and engagement in each of the priority areas identified in the Development Education strategy (primary, post primary, third level, adult, community and youth work)	8,450
2011	Eilis Murray	Development Education Reviews — to examine the current funding support and engagement in each of the priority areas identified in the Development Education strategy (primary, post primary, third level, adult, community and youth work)	5,850
2011	ISOS	Development Education Reviews — to examine the current funding support and engagement in each of the priority areas identified in the Development Education strategy (primary, post primary, third level, adult, community and youth work)	31,010
2011	Bernard McLoughlin	Review of the Irish Aid Centre	6,000
2011	Cathal Higgins	Preparation of a report on the programme of education sector budget support towards school infrastructural development in Karamoja region and skills development in the oil sector (Uganda)	5,000

### Pension Provisions

61. **Deputy Brian Stanley** asked the Minister for Finance if his attention has been drawn to a rule regarding private pensions that would allow a person who has not yet reached 65 years and who has in excess of €20,000 in a pension fund can only draw down the first quarter which is tax free but may not draw down the remainder if the total remaining figure is in excess of €20,000 but may drawn down the remainder if it is less that this sum; his plans to change this rule; and if he will make a statement on the matter. [22083/11]

**Minister for Finance (Deputy Michael Noonan):** While the purpose of approved pension arrangements is to provide for an income in retirement, I am advised by the Revenue Commissioners that, in some cases, the member's entitlements under an occupational pension scheme may be too small to justify the pension set up costs (e.g. purchase of an annuity). Revenue recognises the difficulty this can cause and will allow full commutation of the pension (that is, the payment of the pension in one sum) in certain circumstances. Firstly, full commutation of a pension is permitted by Revenue on what is referred to as "triviality" grounds where the aggregate benefits payable to an individual from the scheme in respect of the employment does not exceed the value of a pension of €330 per annum. The full amount of the pension commutation sum is subject to tax at a rate of 10%.

Full commutation of a pension is also allowed by Revenue where, following the payment of any tax-free lump sum, the total of all remaining funds from all sources available for pension benefits is less than €20,000. In a defined benefit scheme, the pension benefit is converted to a

fund value using the scheme's commutation factor to determine if it is within the €20,000 limit. This treatment is subject to the agreement of both the scheme beneficiary and the trustees and the resulting payment is treated like any other pension payment for the purposes of tax and is taxed under normal tax rules. The above option applies to all pension scheme members including holders of Buy Out Bonds, as an alternative to annuity purchase.

In the case of Retirement Annuity Contracts (RACs) and Personal Retirement Savings Accounts (PRSAs), as an alternative to purchasing an annuity, the holders of such pension plans can, under the Approved Retirement Fund regime, exercise an option to take the remainder of their pension fund (after taking the 25% lump sum) as taxable cash (or invest in an ARF), subject to conditions. The conditions are that the holder is over 75 years of age or, failing that, that they have a guaranteed level of pension income (€18,000 per annum at present) actually in payment for life at the time the decision to effect the cash (or ARF) option is exercised. Where the specified income test is not met, then an Approved Minimum Retirement Fund (AMRF) must be chosen into which a "set aside" amount must be invested from the pension fund (€119,800 at present) or the remainder of the pension fund, after taking the tax-free lump sum, if less than the "set aside" amount. However, in line with the full commutation option available to occupational pension scheme members and Buy out Bond holders referred to earlier, if all remaining funds available to the RAC/PRSA holder from all sources for pension benefits is less than €20,000 and it is not possible to establish an AMRF, the full commutation option may be used.

These arrangements are allowed for under discretionary powers given to Revenue under section 772(4) of the Taxes Consolidation Act 1997 and are published in the Revenue Pensions Manual (Chapter 7). I am advised by the Revenue Commissioners that the €20,000 limit is reviewed from time to time and was last increased (from €15,000) in 2007.

### EU Funding

62. **Deputy Clare Daly** asked the Minister for Finance if his statement on 13 April 2011 that Ireland's contribution to the proposed European Stability Mechanism will be €9.87 billion is still valid; they way this figure is calculated; and the further way the State proposes to raise this sum or whatever amount Ireland will be have to pay through this mechanism. [22097/11]

63. **Deputy Clare Daly** asked the Minister for Finance if, according to the European Stability Mechanism Contribution Key, Ireland's contribution to the ESM I subscribed capital will be 1.59 % of €700 billion subscribed capital, that is €11.13 billion made up of €1.28 billion in cash and the rest in the form of callable capital and guarantees, this is still valid; and the reason he has not sought an opt out from these commitments. [22098/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 62 and 63 together.

As the Deputy may be aware, agreement was reached at the European Council meeting on the 24th June 2011 on the text of the European Stability Mechanism. On the 11th July 2011, Euro Area Finance Ministers signed the Treaty at a Eurogroup meeting subject to the completion of national parliamentary procedures.

Under the proposed European Stability Mechanism Treaty, the ESM will have a total subscribed capital of €700 billion. Of this amount, €80 billion will be in the form of paid-in capital by the Euro Area Member States, paid in five equal annual instalments from July 2013. The balance of €620 billion will be callable capital. The contribution key for each Member State is based on the ECB capital contribution key. For Ireland the key is 1.5922% of the total paid and committed capital.

[Deputy Michael Noonan.]

Thus, Ireland's share of the €80 billion paid in capital will be just above €1.273 billion, to be paid in five equal instalments starting in July 2013. This will be paid from our annual budget. Ireland's share of the €620 billion callable capital will amount to €9.87164 billion.

Euro Area Member States' commitment to the ESM will be in the form of paid in and callable capital. There are no guarantees involved in the ESM. The ESM Treaty does not include provision for opting-out of these commitments.

The capital requirement for Ireland for the ESM will be provided for at the time it becomes operational and will be financed, as all expenditure is, through the various sources of funding that are available to the State. These include tax revenues, non-tax revenues, capital receipts and Exchequer borrowing, as necessary.

### **Strategic Investment Bank**

64. **Deputy Peadar Tóibín** asked the Minister for Finance the action he has taken to establish a strategic investment bank to finance large capital projects and which will act as a lender to small and medium enterprises. [21166/11]

97. **Deputy Ciara Conway** asked the Minister for Finance the position regarding the establishment of a strategic investment bank as promised in the programme for Government; the work that has been done on this project to date; the way this project is progressing; when same will be up and running; the checks and balances that will be put in place to make sure the bank operates to the highest standards in fiscal policy and public accountability; the level of risk to the taxpayer and the economy associated with this project; and if he will make a statement on the matter. [22233/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 64 and 97 together.

As I said in a reply to a question from Deputy Flanagan on 21 June and Deputy McGuinness on 5 July, ensuring that a strategic investment bank is operating in the domestic banking market, providing finance to large capital projects and acting as a conduit for venture capital as well as a lender to SMEs, is an objective in the Programme for Government.

A comprehensive programme of bank recapitalisation and restructuring is currently underway following my statement on the future banking landscape in Ireland at the end of March last. The essential detailed assessment and planning work to meet this objective will be accelerated once the Government's key immediate objectives for the repair of the banking system have been completed. This assessment will include the bank's relationship with the two pillar banks and the timeline for its establishment.

The Deputies may wish to reflect on the usefulness of repeated questions on this topic in such a short period of time and when the prerequisites for change have not been completed.

### **Tax Code**

65. **Deputy Peadar Tóibín** asked the Minister for Finance if a cost benefit analysis to the economy of a VAT harmonisation across the island of Ireland has been completed; and if so, the details of same. [21884/11]

**Minister for Finance (Deputy Michael Noonan):** I wish to point out that there is currently a greater parity between the VAT rates in Ireland and the UK than previously. The UK standard VAT rate at 20% is only 1 percentage point lower than the Irish standard VAT rate of 21%.



At 5% the UK reduced VAT rate is lower than our reduced rates of 9% and 13.5%. However, Ireland applies reduced rates of VAT to a much wider range of goods and services than the UK. 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. The EU VAT Directive provides that Member States operate a standard VAT rate of between 15% and 25% on the majority of goods and services. Member States can also operate up to two reduced rates of between 5% and 15% on a select number of goods and services as listed in Annex III to that Directive. In addition, Member States may retain historic VAT provisions that they had in place on 1 January 1991 with regard to applying a zero rate, or a rate of less than 5% (known as super-reduced rate), and also of applying a rate of between 12% and 15%, known as parked rates, on goods and services not listed in Annex III.

Both Ireland and the UK avail of a range of such derogations from the standard VAT rate. However, because of the historic nature of the parked and zero rates derogation, what goods or services they apply to are unique to each Member State and could not be imitated by other jurisdictions. For example, the UK historically applies a zero VAT rate to the supply of caravans, which could only apply at the standard rate in Ireland. Similarly, there are many historic VAT derogations that Ireland applies that are not available to the UK or other Member States. In this respect, full bilateral VAT harmonisation between Ireland and the UK would only be possible where both jurisdictions remove these derogations and apply a unified standard VAT rate to those goods and services that they currently apply at the zero-rate or at a reduced rate.

In addition, as stated earlier, Ireland applies reduced rates to a much wider range of goods and services than the UK, many of which relate to Annex III services which are open to all Member States to charge at a reduced rate. In this case it would be possible for the UK to apply a reduced rate to all the Annex III reduced rated goods and service in Ireland.

As is clear, not only is the overall VAT system complex but the system of VAT rates that apply to the supply of goods and services is equally complex. In this context the harmonisation of VAT between Ireland and the UK would require very substantial reform of VAT rates in both jurisdictions. Given the economic nature of making changes to the VAT rate on any single good or service, it is clear that in the short term VAT harmonisation between Ireland and the UK is unfeasible. In addition, as it is not possible for Member States to charge VAT on a regional basis, any changes to VAT rates for the sake of cross-border harmonisation would have to apply on a UK wide basis.

Nevertheless, greater VAT harmonisation on an EU basis is one of the longer term goals of the EU. On 1 December 2010, the EU Commission published a Green Paper on the Future of VAT marking the launch of a public consultation on the future of the VAT system and essentially the delivery of a simpler and more efficient system tailored to support/promote activity in the single market. Among other issues, the Green Paper deals with the continued relevance of reduced VAT rates and existing derogations for Member States. The Paper also deals with the degree of harmonisation needed for the single market, the reduction of red-tape for business, enhanced fraud-proofing of the system, and modernising the administration of the VAT system by tax authorities.

### **Pension Provisions**

66. **Deputy Peter Mathews** asked the Minister for Finance the amount of money invested in private pension funds each year since 2005; and if he will make a statement on the matter.  
[21926/11]

77. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a total value of pension contributions relief AVCs, PRSAs and so on claimed by persons on their individual tax returns for the tax years 2006 to 2009. [22026/11]

78. **Deputy Pearse Doherty** asked the Minister for Finance if he will provide a total value of pension contributions claimed by companies on their corporation tax returns for the accounting periods ending in 2006 to 2010. [22027/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 66, 77 and 78 together.

I assume that the information being sought relates to the amounts of contributions to pensions and not on the associated costs to the Exchequer of tax forgone.

I am advised by the Revenue Commissioners that the only relevant information they have in this area is in respect of the amounts of contributions to various pension arrangements for which income tax and corporation tax relief is claimed. These are contributions to Retirement Annuity Contracts (RACs) and Personal Retirement Savings Accounts (PRSAs) by self-employed individuals and employees in non-pensionable employment and also contributions by employees and employers via payrolls to occupational pension schemes and PRSAs. Contributions by companies on behalf of their employees are included in the figures provided by employers and these figures are derived from the annual P35 returns made by employers to the Revenue Commissioners. The total aggregated amounts of all contributions for the years 2005, 2006, 2007 and 2008, the latest year available, are as follows:

Amounts Claimed	€ million
2005	3,131.5
2006	4,052
2007	4,257.5
2008	4,470

A breakdown of the main constituents of these aggregates is shown in the following tables:

Contributions to RACs and PRSAs

Year	€ million
2005	1,031.5
2006	1,270
2007	1,244
2008	1,145

The information on RACs and PRSAs is based on income tax returns on Revenue records at the time the data were compiled for analytical purposes, representing approximately between 85% and 95% of all returns expected, depending on when the data was extracted for each year. As is done for the purpose of compiling annual estimates of cost to the Exchequer, these basic figures are, in accordance with normal practice, grossed-up at aggregate level to adjust for the perceived level of incompleteness. The figures given in this reply are on that basis. Consequently the figures now being provided are higher than the figures given in replies to certain other questions to do with actual tax cost breakdowns where no adjustment for incompleteness was made.

## Contributions by employees to occupational pension schemes

Year	€ million
2005	1,114
2006	1,423
2007	1,553.5
2008	1,722

## Contributions by employers to occupational pension schemes and PRSAs on behalf of their employees

Year	€ million
2005	986
2006	1,359
2007	1,460
2008	1,603

*Question No. 67 withdrawn.*

### Tax Reliefs

68. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the cost of income tax revenue foregone by granting relief of 75% to landlords for allowable mortgage interest relief as an expense against rental income for the tax year 2009 and at 100% for the tax years 2007 and 2008. [22016/11]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy has noted the level at which interest repayments can be claimed against tax for residential rental properties was reduced from 100% to 75% in section 5 of the Finance Act 2009. I am informed by the Revenue Commissioners that based on personal income tax returns filed by non-PAYE taxpayers the amount of tax foregone by allowing a deduction for interest on borrowings to be offset against all rental income assessable under Case V, Schedule D is as set out in the following table:

Tax year	Interest Relief (Rental) €m	Rate
2007	877	100%
2008	1,150	100%
2009	730	75%

These estimates are based on assuming that tax relief was allowed at the top income tax rate of 41% and the figures provided could therefore be regarded as the maximum Exchequer cost in respect of those taxpayers.

The figures for 2009 are subject to adjustment in the event of late returns being filed or where returns already filed are subsequently amended.

It should be noted that any corresponding data returned by PAYE taxpayers in the income tax return form 12 is not captured in the Revenue computer system. However, any PAYE taxpayer with non-PAYE income greater than €3,174 is required to complete an income tax return form 11. This return is the source of the figures provided in this reply.

69. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the cost of corporation tax revenue foregone by granting relief to property holding companies for allowable mortgage interest relief as an expense against rental income for the tax years 2007 to 2009. [22017/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that as the rental income of companies is returned as *net* of interest on borrowings the figures for interest are not separately distinguished in corporate tax returns. There is, therefore, no basis on which an estimate of the cost of corporation tax revenue foregone could be provided.

70. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the total cost effect/income tax foregone by granting the home carers' tax credit for the years 2007 to 2010. [22018/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the most recent years for which final information is available on the cost to the Exchequer of the home carer tax credit is for the income tax years 2007 and 2008. The relevant figures are as follows:

Tax Year	Estimated cost to the Exchequer €m
2007	69
2008	80

In addition, provisional estimates, on a preliminary basis, of the cost to the Exchequer of the home carer's tax credit for the income tax years 2009, and 2010 are as follows:

Tax Year	Estimated cost to the Exchequer €m
2009	75
2010	71

The figures for 2009 to 2010 are estimates from the Revenue tax forecasting model using actual data for the year 2008, adjusted as necessary, for income and employment growth for the years in question and are therefore provisional and subject to revision. The figures are rounded to the nearest million as appropriate.

71. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the value of income tax foregone or deferred for share options under the deferred payment scheme available under S.128A. [22019/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the detailed information requested by the deputy regarding share options under the deferred payment scheme is not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners' records.

72. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the total value of share options exercised by persons here for the tax years 2007 to 2009 and the relevant taxable gains on same. [22020/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the gains associated with the tax payments made in 2007, 2008 and 2009, arising from the exercise of share options were €312 million, €239 million and €129 million respectively. Information on the total value of share options exercised is not readily available and could not be obtained without conducting a protracted examination of the Revenue Commissioners' records.

73. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the cost effect/income tax foregone by the rent-a-room relief scheme for the tax years 2007 to 2009. [22021/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the most recent year for which the necessary detailed statistical information is available, in relation to the Rent-a-Room Scheme, is the income tax year 2008. The estimated cost of the scheme to the Exchequer for that year was €5.6 million. The cost of the scheme for the 2007 tax year was €4.7 million.

74. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the cost effect/income tax foregone by the interest relief claimed for acquiring an interest or share in certain companies or partnerships. [22022/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the most recent year for which final information is available on the cost to the Exchequer of income tax relief for interest relief claimed for acquiring an interest or share in certain companies or partnerships is the income tax year 2008. The cost to the Exchequer in that year is estimated at €48.5 million.

75. **Deputy Pearse Doherty** asked the Minister for Finance the potential for tax revenue saved by placing an earnings cap of €100,000 on pension contributions with relief only granted at 20%. [22024/11]

**Minister for Finance (Deputy Michael Noonan):** I assume that the Deputy is referring to the current annual earnings cap of €115,000 which operates to limit the level of tax-relieved personal pension contributions in any one year. The annual earnings cap acts, in conjunction with age-related percentage limits of annual earnings, to put a ceiling on the annual amount of tax relief an individual taxpayer can obtain on pension contributions. A breakdown of the cost of tax relief on employee contributions to occupational pension schemes is not available by income tax rate, as tax returns by employers to the Revenue Commissioners of employee contributions to such schemes are aggregated at employer level. An historical breakdown is available by tax rate of the tax relief claimed on contributions to personal pension plans — Retirement Annuity Contracts (RACs) and Personal Retirement Savings Accounts (PRSAs) — by the self-employed and others, to the extent that the contributions have been included in the personal tax returns of those taxpayers.

There is, therefore, no statistical basis for providing definitive figures. However, by making certain assumptions about the available information, the Revenue Commissioners inform me that the combined estimated full year yield to the Exchequer from reducing the current annual earnings cap of €115,000 to €100,000 and confining tax relief to the standard rate of 20% in respect of individual contributions to occupational pension schemes, RACs and PRSAs would be about €500 million.

[Deputy Michael Noonan.]

The latest full historical data available in this regard is in respect of the tax year 2008.

### **Pension Provisions**

76. **Deputy Pearse Doherty** asked the Minister for Finance if he will quantify the total value of executive pension funds in place for proprietary directors; and if he will further quantify the value of contributions made to these funds for the tax years 2006 to 2009 on which relief from corporation tax and income tax would have been granted. [22025/11]

**Minister for Finance (Deputy Michael Noonan):** While there is no particular pension saving scheme or plan specifically designated for use by proprietary directors, many such individuals save for their retirement through what are called small self-administered pension schemes (SSAS). SSAS are typically single member pension schemes with the scheme member normally also being the owner/proprietary director of a business and the trustee of the scheme. The Revenue Commissioners have special rules in relation to the approval, operation and supervision of these schemes. Among other requirements, SSAS are required to submit annual accounts to Revenue which detail the pension contributions made to the scheme, the investment income and gains accrued and the end-year fund value.

I am advised by the Revenue Commissioners that the scheme accounts data returned in respect of SSAS in the past are not capable of being electronically captured in a way that would make it possible to provide the information requested by the Deputy for the years in question. The resources necessary to obtain the data manually would be significant and would require the diversion of such resources from other important areas of work such as audit. I am further advised by the Commissioners that section 16 of Finance Act 2010 included an amendment to the administrative requirements on SSAS which oblige the administrators of such schemes to deliver annual scheme accounts for the years ending on or after 1 January 2011 by such electronic means as are required or approved by the Revenue Commissioners. This amendment will allow for more cost-effective and timely collection of data on SSAS in future years and Revenue are progressing the necessary administrative and technical changes required to facilitate electronic delivery at an early date. There is no requirement on occupational pension schemes, generally, (other than SSASs) or personal pension plan providers or owners to provide Revenue with details of the individual or employer contributions made to these pension funds for *each individual scheme member or plan beneficiary*. To the extent, therefore, that proprietary directors use pension saving arrangements other than or in addition to SSAS, it is not possible to separately isolate or identify those arrangements.

*Questions Nos. 77 and 78 answered with Question No. 66.*

### **Tax Reliefs**

79. **Deputy Pearse Doherty** asked the Minister for Finance the total value of income and number of taxpayers availing of the retirement relief for certain sports persons in respect of the tax years 2006 to 2009. [22028/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that information on the number of claimants availing of the tax relief for qualifying sportspersons, the amount of associated income and the estimated cost to the Exchequer is set out in the following table for the income tax years 2006 to 2008 inclusive.

## Retirement relief for qualifying sportspersons

Year	Number of Claimants	Total value of Income €m	Estimated cost to the Exchequer €m
2006	32	0.6	0.2
2007	20	0.5	0.2
2008	17	0.5	0.2

Corresponding figures for 2009 are not yet available.

80. **Deputy Pearse Doherty** asked the Minister for Finance the total value of property-based tax incentives on which reliefs were claimed for the tax years 2006 to 2009 by persons. [22029/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the relevant information available on the value of property based tax incentives on which tax reliefs were claimed for the tax years 2006 to 2009 by individuals is based on personal income tax returns filed by non-PAYE taxpayers. The total amount claimed for this period is as set out in the table below:

## Value of property-based tax incentives claimed by individuals

2006	2007	2008	2009	Total
€m	€m	€m	€m	€m
1,081	1,042	886	821	3,830

It should be noted that any corresponding data returned by PAYE taxpayers in the income tax return (Form 12) is not captured in the Revenue computer system. However, any PAYE taxpayer with non-PAYE income greater than €3,174 is required to complete an income tax return (Form 11).

The estimated relief claimed has assumed tax forgone at the 41% rate in the case of individuals.

The figures for 2009 are subject to adjustment in the event of late returns being filed or where returns already filed are subsequently amended.

81. **Deputy Pearse Doherty** asked the Minister for Finance the total value of property-based tax incentives on which reliefs were claimed for the tax years 2006 to 2009 by companies. [22030/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the Revenue Commissioners that the relevant information available on the value of property-based tax incentives on which tax reliefs were claimed for the tax years 2006 to 2009 by companies is based on corporation tax returns filed by companies. The total amount claimed for this period is as set out in the table below:

## Value of property-based tax incentives claimed by companies

2006	2007	2008	2009	Total
€m	€m	€m	€m	€m
82	68	72	42	264

[Deputy Michael Noonan.]

The estimated relief claimed has assumed tax forgone at the 12.5% rate in the case of companies.

The figures for 2009 are subject to adjustment in the event of late returns being filed or where returns already filed are subsequently amended.

### **National Asset Management Agency**

82. **Deputy Sean Fleming** asked the Minister for Finance if any loans were transferred from the banks to the National Asset Management Agency at full value without a discount, especially in cases in which a loan was being fully paid back, the amount outstanding was relatively small in relation to the underlying value of the property, the payment record to date had been excellent, there was no expectation that the loan would not be repaid in full in view of the track record of payments to date, or there was a prospect of clearing the loan in the short term; and if he will make a statement on the matter. [22046/11]

**Minister for Finance (Deputy Michael Noonan):** I am advised by NAMA that certain loans have transferred to NAMA for consideration which represented 100% of the nominal loan balance, i.e. without a discount. The agency also advises that a small number of the loans transferred would have the features outlined by the Deputy, namely

- 1) where the amount outstanding was relatively small in relation to the value of the underlying property; or
- 2) where the repayment record on the loan had been excellent up to the point of acquisition by NAMA; or
- 3) where there is a reasonable expectation that the loan will be repaid in full; or
- 4) where there is a reasonable expectation that the loan can be cleared in the short term (and indeed there have been such loans).

However, NAMA also informs me that the discounts were primarily based on the underlying value of the property which was the security for the loan and that the performance status of the loan was not a major factor in the valuation methodology which was approved by the European Commission. The rationale for this was that, in the case of a loan portfolio which was largely distressed, the value of the underlying collateral was the best estimate for the ultimate realisable value of the loan.

### **Tax Collection**

83. **Deputy Damien English** asked the Minister for Finance if the Revenue Commissioners will agree to an alternative schedule for repayment on tax due by a company (details supplied) in County Meath; if the Revenue Commissioners will cease all court proceedings until a new schedule can be arranged; and if he will make a statement on the matter. [22053/11]

**Minister for Finance (Deputy Michael Noonan):** I am advised by Revenue that despite the fact that it has worked with the business concerned to reach a mutually acceptable approach to dealing with a very substantial tax debt, the business concerned has failed to meet a fundamental requirement of the approach agreed by not meeting the terms of an arrangement put in place only four months ago. On that basis Revenue is not assured as to the basic financial viability of the business and so has a petition before the High Court in the next week for the



appointment of a liquidator. I am advised by Revenue that given its concerns and the fact that the debt is actually increasing, a revised repayment schedule would not be appropriate and it will be proceeding with its liquidation petition to the Court.

### **Banking Sector Regulation**

84. **Deputy Michael McGrath** asked the Minister for Finance the rules on the amount of their available cash credit unions can lodge in any one financial institution; and if he plans to review this matter in view of the reduced number of financial institutions now here. [22054/11]

**Minister for Finance (Deputy Michael Noonan):** This is a regulatory matter. The Registrar of Credit Unions at the Central Bank of Ireland is responsible for the regulation of credit unions and is independent in the exercise of his duties. I, as Minister for Finance, have no function in decisions in this regard. I have consulted with the Registrar who advises as follows: From time to time, the Registrar of Credit Unions issues guidance to ensure compliance by credit unions with their legal and regulatory obligations. The “Guidance Note on Investments by Credit Unions” issued in October 2006 stated that investments by credit unions in a single institution should not exceed 25 percent of the total value of a credit union’s investment portfolio. This guidance note was developed after extensive consultation with stakeholders in the sector including the credit union representative bodies. Further circular letters of clarification were issued to credit unions as required from time to time. Guidance notes issued by the Registrar of Credit Unions are available at <http://www.centralbank.ie/regulation/industry-sectors/credit-unions/Pages/guidance.aspx>

The Registrar wrote to credit unions on the 20 June 2011 informing them that, as the structural changes now taking place in the Irish banking sector may result in credit unions exceeding the limit set out in the Guidance Note as institutions merge or as deposits are transferred under the Credit Institutions (Stabilisation) Act 2010, credit unions will be allowed a period of 24 months in which to bring their investment portfolio back into compliance with the single institution exposure limit contained in the Guidance Note. The Registrar also noted that this is a transitional arrangement to facilitate credit unions managing the diversification of their investment portfolios over a reasonable period of time in a planned manner and that while it is in place current exposure levels above the 25 percent limit may not be increased.

### **Fiscal Policy**

85. **Deputy Damien English** asked the Minister for Finance his views on the Irish Revenue Commission report published in February 2011 entitled Economics of Tobacco which stated on page 29 that a tax increase on cigarettes would reduce revenue but only have a lesser impact on tobacco consumption by encouraging further substitution away from taxed cigarettes; and if he will make a statement on the matter. [22056/11]

**Minister for Finance (Deputy Michael Noonan):** The report referred to is an econometric analysis, carried out by the Revenue Commissioners, on the market for cigarettes in Ireland. It suggests, based on this analysis, that Ireland has moved beyond the optimum point regarding the effectiveness of taxation to reduce cigarette consumption. The research suggests that higher cigarette taxes in Ireland would no longer produce a win-win situation of public health benefits (lower rates of smoking) and benefits to the public finances (higher levels of tax revenue). More likely, it appears that in the Irish market for cigarettes as it currently stands, a tax increase could reduce revenue but only have a lesser impact on tobacco consumption by encouraging further substitution away from taxed cigarettes. The findings of the report which, given our already high levels of excise on cigarettes, at least questions the usefulness of further increases

[Deputy Michael Noonan.]

in excise rates as a means of reducing overall cigarette consumption will be considered, along with other relevant factors and issues, when the taxation of cigarettes is being examined in the context of the annual budget.

### **Banking Sector**

86. **Deputy Eoghan Murphy** asked the Minister for Finance if his attention has been drawn to any proposals to create a new Irish bank in order to increase competition within the banking sector. [22113/11]

90. **Deputy Eoghan Murphy** asked the Minister for Finance if any strategies are in places to encourage foreign banks to open here. [22117/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 86 and 90 together.

The Deputy will be aware of my Statement on Banking of 31 March 2011 where I set out Government policy in relation to the matters the Deputy has raised.

A fundamental element of Government Strategy has been to restore a functioning banking system and the Government has made particular commitments to recapitalising the banks and restructuring the banking sector as part of its Programme for Government. This radical restructuring of the banking system is designed to put our banking system on a firm footing which is essential to Ireland's economic recovery.

The recent positive review delivered by the Troika as well as the EBA stress test results for the two pillar banks reinforces that decision and puts us on the path to re-start stability and economic growth in core businesses based on a sound and well capitalised banking system with two pillar institutions.

While there are, at present, a number of foreign owned entities that operate within the Irish banking market and I would welcome further interest that foreign entities may have in entering the Irish market.

### **Fiscal Policy**

87. **Deputy Eoghan Murphy** asked the Minister for Finance if it is his intention to balance the national budget; and the year he estimates that this will happen. [22114/11]

**Minister for Finance (Deputy Michael Noonan):** The Government is committed to restoring order to the public finances and as an intermediate step, reducing the General Government deficit to less than 3% of GDP by 2015. The Programme for Government states that further reductions in the deficit will be required thereafter. However, the current budgetary projections contained in the Stability Programme Update, published in April, are only available out to 2015. Based on these projections, the Budget will not be in balance by 2015 but importantly will no longer be in excessive deficit. It is also important to note that a primary surplus — that is an excess of revenues over expenditure excluding debt interest — of 1.7% of GDP is forecast to emerge in 2014.

### **Credit Availability**

88. **Deputy Eoghan Murphy** asked the Minister for Finance his plans to encourage banks to provide timely credit for small and medium enterprises. [22115/11]

96. **Deputy Ciara Conway** asked the Minister for Finance the steps that are being taken to ensure that an adequate pool of credit is available to fund small and medium sized business in the real economy during the restructuring and downsizing programme; the methods businesses will be able to use to access this pool; the means by which the availability of this credit is measured; the way he will compel institutions to provide credit; and if he will make a statement on the matter. [22232/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 88 and 96 together.

The Deputies will be aware that the banking system restructuring plan creates capacity for the two Pillar Banks, Bank of Ireland and AIB, to provide lending in excess of €30 billion in the next three years. SME and new mortgage lending for these banks is expected to be in the range of €16-20bn over this period. In each bank, a team of senior managers will be dedicated to the task of ensuring lending continues to grow to support economic growth. This lending capacity is incorporated into the banks' deleveraging plans which allow for repayment of Central Bank funding through asset run-off and disposals over the period to 2013.

Both pillar banks provide my Department with monthly figures on balance sheet volumes, sanctioned facilities and geographic and industrial breakdowns of their SME lending. The Deputies may also be aware that under the terms of the government recapitalisation, both banks also produce a quarterly report which incorporates figures for sanctions and drawdowns by SMEs. The data contained in these reports will continue to be reviewed and analysed by my Department and the Credit Review Office to ensure that the banks are compliant with the terms of the Government recapitalisation as it relates to the provision of credit for SMEs.

I expect the pillar banks which have received considerable Government support to develop and offer a range of products to support SMEs and to ensure that lending targets are met.

### **Bank Deposits**

89. **Deputy Eoghan Murphy** asked the Minister for Finance the strategies he has in place for increasing and maintaining deposits in Irish banks; and his views on a zero rate of DIRT for one year as a possible option. [22116/11]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, deposits in Irish banks were on a downward trajectory during 2009 and 2010 as fears grew about the health of their balance sheets and rating agencies downgraded their recommendations. The government's first priority was therefore to ensure that they were adequately capitalised to not only restore depositor and investor confidence, but to ensure they were in a position to support the economy going forward in terms of new lending. The Central Bank completed an in depth analysis of the banks' balance sheets in Q1 of this year using external consultants and the €24 billion capital need identified as a result of this exercise is currently being provided for. The exercise has generally been judged a success by the market a result which was highlighted again last week when the EBA stress tests results were released.

As I understand it, the result of this further recapitalisation of the banks is that if depositors on the ground now have any concerns it tends to resolve around uncertainties at a European level rather than the health of the Irish banking system.

Of course recapitalisation of our banks takes place against a general restructuring effort which will shrink not only the number of players in the market but the size and shape of these institutions and this will also bear fruit in terms of providing a road map to stability.

[Deputy Michael Noonan.]

At a broader level the government remains focused on stabilising and growing the domestic economy such that rising incomes will be reflected in increased deposits in the Irish banking system.

As regards the suggestion of a zero rate of DIRT for one year, if this proposal was introduced that yield would be lost to the Exchequer and the money would have to be found elsewhere, whether through increased taxation from other sources or reduced expenditure. To indicate the amount that may be involved, the 2010 yield from DIRT was €445 million. I do not feel charging DIRT on deposit interest is a significant deterrent to saving, especially since DIRT is a final liability tax (that is, no further income tax is due on interest subject to DIRT) and income subject to DIRT is not liable to the Universal Social Charge. Even if reducing the DIRT rate encouraged savings in Irish Banks, making the reduction for one year would not encourage the maintenance of deposits there. Also, under European law we would be required to charge the same rate of tax on deposit interest in banks throughout the EU.

I have no plans at this time to make the suggested change. However, any taxation changes will be determined in the context of the Budget and Finance Bill.

*Question No. 90 answered with Question No. 86.*

### **Tax Code**

91. **Deputy Eoghan Murphy** asked the Minister for Finance if a reduction in stamp duty on commercial properties has been considered to bring Irish rates in line with the 1% rate charged in London. [22118/11]

**Minister for Finance (Deputy Michael Noonan):** The top rate of non-residential Stamp Duty was reduced from 9% to 6% in 2008. (The Deputy may be aware that residential Stamp Duty rates were reduced in December 2010 to 1% on consideration up to €1 million and 2% on the balance over 1 million.) The Stamp Duty Land Tax rate in the UK is not a straightforward 1% across the board. The charge can be up to 4% and the rate charged depends on a number of factors, including whether a property is freehold or leasehold, and whether the property is residential, non-residential or mixed-use. Also, the purchase of a new lease with a substantial annual rent may attract an additional Stamp Duty Land Tax charge. It is, therefore, a more complex tax than our Stamp Duty on transfers of non-residential property, where the primary factor that determines the rate is the consideration for the property.

Any potential taxation changes will be determined in the context of the Budget and Finance Bill and following the comprehensive spending review.

### **Banking Sector Remuneration**

92. **Deputy Michael McGrath** asked the Minister for Finance, further to Parliamentary Question No. 92 of 30 June 2011, if the report he has requested from Anglo Irish Bank has been supplied to him; and if he will make a statement on the matter. [22129/11]

**Minister for Finance (Deputy Michael Noonan):** A draft report has been received from Anglo Irish on the matter as requested which is currently being examined within my Department.

### **Social Welfare Offices**

93. **Deputy Brendan Ryan** asked the Minister for Finance the timeline for the construction and completion of the local social welfare office in Balbriggan, County Dublin, thus avoiding

the need for recipients to travel to the city centre; and if he will make a statement on the matter. [22132/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** A new temporary Department of Social Protection office at Mill Street, Balbriggan opened in July 2010. In addition to this office the provision of an additional integrated office for the Department of Social Protection's National Employment and Entitlements Service (NEES) in Balbriggan has been agreed as a priority project. OPW and the Department are endeavouring to finalise the brief of requirements for the NEES in Balbriggan with the intention of providing suitable accommodation as soon as possible. The timeline for provision of this accommodation will depend on the availability of suitable options in that location.

94. **Deputy Brendan Ryan** asked the Minister for Finance the timeline for the construction and completion of the proposed full local social welfare office in Swords, County Dublin, thus avoiding the need for recipients to travel to the city centre; and if he will make a statement on the matter. [22133/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** A temporary Public Office was opened on North Street, Swords in June 2009 and a suitable long term accommodation solution has been identified in Swords for a new Local Office to meet the requirements of the Department of Social Protection. The main lease terms and conditions have been agreed and final letting and pre-letting agreements are being prepared for completion with the landlord in question. An exact programme for construction will be agreed with the developer on the signing of these contracts.

#### **Departmental Staff**

95. **Deputy John Lyons** asked the Minister for Finance, further to Parliamentary Question No. 115 of 3 November 2010, the number of the three apprentices who were offered fixed term contracts that remain in the employment of the Office of Public Works; and if he will make a statement on the matter. [22150/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** I am advised by the Commissioners of Public Works that one of the three persons concerned remains in their employment on a fixed term basis.

*Question No. 96 answered with Question No. 88.*

*Question No. 97 answered with Question No. 64.*

#### **Departmental Expenditure**

98. **Deputy Shane Ross** asked the Minister for Finance the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22264/11]

**Minister for Finance (Deputy Michael Noonan):** My Department has not awarded any public funds to the Irish Business and Employers Confederation in the past decade.

#### **Banks Restructuring**

99. **Deputy Pearse Doherty** asked the Minister for Finance the position regarding his negotiations with AIB about the broad parameters for AIB's upcoming redundancy packages; if he is close to agreeing the maximum amount that AIB can agree to pay redundant workers; if he

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received a second set of proposals from AIB and has he given the bank his verdict on those; when he expects such an agreement to be reached; if he will confirm if he will sanction AIB paying the banking industry norm of six weeks per year of service; if he will offer any view on the maximum package that would be more appropriate; and if he will make a statement on the matter. [22275/11]

**Minister for Finance (Deputy Michael Noonan):** As I indicated in my reply to a parliamentary question of 5 July 2011 (ref no 18567/11) on the matter of redundancies in the banking sector, discussions with the affected covered institutions are on-going. The Deputy will appreciate that negotiations on these matters have great sensitivity attached to them and public disclosure of positions are not usually helpful in arriving at mutually acceptable conclusions that take in to account the interests and concerns of all parties.

### **Tax Code**

100. **Deputy Pearse Doherty** asked the Minister for Finance the position regarding his deliberations on the way the €600 million call on the Insurance Compensation Fund triggered by Quinn Insurance Limited sale will be funded; if he will confirm if Irish policyholders will pay all €600 million or if he will use relevant legislation to impose the levy on all insurance policies sold out of Ireland, in which case the cost to Irish policyholders would be €200 million; if he will confirm the extent of his engagement with Irish consumer groups, the Irish insurance industry and the international insurance industry on this topic; and if he will make a statement on the matter. [22276/11]

**Minister for Finance (Deputy Michael Noonan):** No decision has yet been made on how the Insurance Compensation Levy (ICF) levy will be applied in order to fund the deficit in Quinn Insurance Ltd. Much consideration however has been given to the matter and my Department has had extensive consultations with the domestic and international insurance industry, the Central Bank and the European Commission. I am also aware of the consumer perspective on this issue and am very conscious in these difficult times of not imposing additional unnecessary burdens on them. However, ultimately I have to ensure that whatever decision is made on this issue is credible, sustainable over time and stands up to legal scrutiny.

### **Bank Guarantee Scheme**

101. **Deputy Pearse Doherty** asked the Minister for Finance if the stress tests carried out on the four covered institutions are adequate in view of the fact that there are concerns that some of the adverse criteria have been exceeded, including commercial and domestic property values and the holding of Government bonds; and if he will make a statement on the matter. [22283/11]

102. **Deputy Pearse Doherty** asked the Minister for Finance if he is concerned with the recent report (details supplied) which indicated that commercial property has declined in value by 7% in the first six months of 2011; his views on report findings that the abolition of upward-only rent reviews by Government would see a further 20% to 30% decline in commercial property values; the impact such a decline would have on the adequacy of the stress tests of the four covered institutions; and if he will make a statement on the matter. [22284/11]

104. **Deputy Pearse Doherty** asked the Minister for Finance if he will consider postponing the recapitalising of the covered institutions in view of the concerns about the adequacy of the stress tests; and if he will make a statement on the matter. [22286/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 101, 102 and 104 together.

I am aware that certain commentators and reports are suggesting that the Irish property market could experience further declines. However, I would remind the Deputy that the PCAR bank stress tests carried out by the Central Bank are among the most thorough and demanding such tests ever performed in Ireland and or indeed anywhere in the world. For transparency purposes the Central Bank has disclosed the full details of the base and stress scenario assumptions in its report. The potential impact on commercial rents by new legislation was not specifically modelled but the loss forecast involved taking a conservative view on rents actually being received and therefore the values derived from those rents was conservative.

In addition to the conservative economic assumptions built into the capital scenarios the Central Bank has gone further than its international peers — including the recent EBA stress test results — in setting its requirements by taking a three year, rather than two year outlook and also by requiring capital levels after any stress losses of 6%, rather than 5% of Risk Weighted Assets. The need to convince the market as to the strength of our banks has been the significant driver of these higher capital targets. They are founded on robust models, highly conservative assumptions and also include additional conservative buffer layers for any additional unknown factors.

The Government is fully supportive of the work carried out by the Central Bank and its independent advisors in establishing a capital base for our banks that will be one of the most stringent in the world. I see no reason therefore to question the adequacy of the stress tests, and there is no basis for deferring the recapitalisation of the institutions in question.

With regard to upward only rent reviews, the Minister for Justice and Equality recently informed the House that following an initial consultation process with the Attorney General, he had forwarded outline proposals to her for further examination and development. Those proposals have been the subject of preliminary discussion by Government, and will be considered further in the autumn when the work in relation to them should be at a more advanced stage.

103. **Deputy Pearse Doherty** asked the Minister for Finance the date on which he intends to recapitalise the covered institutions; the amount of same; and if he will make a statement on the matter. [22285/11]

113. **Deputy Michael McGrath** asked the Minister for Finance the anticipated final figure for the amount of additional capital, net of the various liability management exercises, which is to be invested in AIB / EBS, Bank of Ireland, and Irish Life & Permanent by the end of July following the stress tests published in March 2011; and the way this amount is to be funded. [22296/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 103 and 113 together.

The recapitalisation commitments made by the State to date and the additional capital requirements of the banks as prescribed by the Central Bank under the March 2011 PCAR/PLAR stress tests are set out in the following table:

Recapitalisation of Credit Institutions

Credit Institution	Cost of Share Acquisition	Cost of Preference Shares	Capital contributions	Capital Provided by the State to 31 December 2010	PCAR 2011 requirement	Contingent Capital	Mar 31st Total <sup>(1)</sup>
	€bn	€bn	€bn	€bn	€bn	€bn	€bn
Anglo Irish Bank	4.0	—	25.3	29.3	—	—	0.0
Allied Irish Banks	3.7	3.5	—	7.2	11.9	1.4	13.3
Bank of Ireland	1.7	1.8 <sup>(2)</sup>	—	3.5	4.2	1.0	5.2
Irish Nationwide Building Society	0.1	—	5.3	5.4	—	—	0.0
EBS Building Society	0.6	—	0.3	0.9	1.3	0.2	1.5
Irish Life and Permanent	—	—	—	—	3.6	0.4	4.0
Total	10.1	5.3	30.8	46.3	21.0	3.0	24.0

<sup>(1)</sup> Before banks' potential capital raising actions (LME's/Asset Sales / Internally Generated Capital)

<sup>(2)</sup> Original investment of €3.5bn, of this €1.7bn converted to equity in May 2010



The Deputies will be aware that the Government has, however, instigated processes which have reduced and will further reduce the cost to the State by looking for significant contributions from subordinated debt holders, by the sale of assets to generate capital and, where possible, by seeking private sector investors. It is expected that the effect of these actions will be to reduce the amount of capital required by the State very significantly. In particular, a number of the financial institutions have recently engaged in liability management exercises in relation to subordinated debt. The results of the liability management exercises at the AIB, Bank of Ireland and Irish Life & Permanent will be announced in full to the markets on their conclusion but have already resulted in the generation of some €4.4bn in Core Tier 1 Capital, reducing accordingly the amount required to be contributed by the State to the €24bn PCAR capital requirement.

Only after the burden sharing measures have been completed, all sources of private capital have been exhausted and shareholders in the three institutions have been given the opportunity to vote, will the level of further capital required to be contributed by the State in order to complete the recapitalisation measures be finalised to the level of detail being requested by the Deputies. However, the State has committed to completing the recapitalisations as agreed under the Programme of Financial Support for Ireland to the extent possible by 31 July. State funding for the recapitalisation will come from funds currently held on deposit in the banks by the Exchequer and the National Pensions Reserve Fund.

*Question No. 104 answered with Question No. 101.*

### **Banks Recapitalisation**

105. **Deputy Pearse Doherty** asked the Minister for Finance if the proposed recapitalisation of the covered institutions in July will be the last taxpayer funded recapitalisation by him for the covered institutions; and if he will make a statement on the matter. [22287/11]

**Minister for Finance (Deputy Michael Noonan):** As I have said previously in my Statement on Banking in March, the PCAR bank stress tests carried out by the Central Bank are certainly among the most thorough and demanding such tests ever performed in Ireland and or indeed anywhere. The detailed results methodology and assumptions underlying these stress tests have been published, emphasising Ireland's firm commitment for this critical exercise to be fully open and transparent. In addition to the very conservative economic assumptions built into the capital scenarios the Central Bank has gone further than its international peers in setting its requirements by taking a three year rather than two year outlook and also by requiring capital levels after any stress losses of 6% rather than 5% of Risk Weighted Assets.

The bank stress testing exercise, the results of which were announced by the Central Bank of Ireland on 31 March 2011, included a detailed review of loan files on an appropriate sampling basis. As the Deputy will be aware, the Financial Measures Programme also announced on that date included an independent loan loss assessment exercise performed by BlackRock Solutions ("BlackRock"), the results of which informed the calculation of capital requirements for Allied Irish Banks, Bank of Ireland, EBS and Irish Life and Permanent under the PCAR.

BlackRock performed a comprehensive review of the loan portfolios of the PCAR banks, with the assistance of a number of accountancy firms, legal firms, and credit experts. The Central Bank also appointed the Boston Consulting Group, an international consultancy firm, to provide oversight and challenge to BlackRock's work and to ensure consistency across institutions and portfolios. To perform the loan loss assessment, loss models were custom-built for the banks' portfolios as of 31 December 2010. A data integrity and verification exercise was performed to ensure robust outputs from the loan loss assessment models. The accountancy

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firms, hired by BlackRock, carried out four specific activities including a loan file sampling and testing.

BlackRock and its subcontractors conducted in-depth assessments of loan portfolios by reviewing loan files and, in some cases, work-out capacity. By examining and reviewing loan files, a more accurate assessment of the value of the underlying collateral was possible, enabling a refinement of loan loss assessment assumptions. The loan file reviews focused on large loans and impaired assets. The number of files sampled varied across portfolios and banks but was sufficiently large to allow BlackRock to elicit qualitative and quantitative findings that were subsequently incorporated into their loan loss assessments.

In specific terms I am satisfied on the basis of the results of the PCAR assessment carried out by the Central Bank, which have been endorsed by the external authorities, that the loan loss assumptions made reflects a high degree of conservatism and underpin the robustness and credibility of the exercise overall.

I am strengthened in this view by the results of the European Banking Authority (EBA) stress tests on Allied Irish Banks, Bank of Ireland and Irish Life and Permanent which were published on 15 July. The results of the tests show that the Irish banks meet the stress requirements and do not require additional capital beyond the requirement set in the Financial Measures Programme published in March 2011. The results of the EBA stress tests take account of the recapitalisation measures announced following the Prudential Capital Assessment Review (PCAR), which required the banks to raise an additional €24 billion in order to achieve a core tier 1 ratio of 6% at the end of 2013 in a stressed scenario.

It should be noted that stress testing is used by banking supervisors to determine whether a bank is adequately capitalised to withstand adverse macro-economic events or unanticipated shocks. Our banks will be well capitalised by international standards following the recapitalisation measures but this position will not then remain frozen in time. Apart from anything else, both the global and domestic economies will continue to evolve and the Central Bank will perform future annual PCAR assessments to ascertain the position of the banks at that point in time. That does not necessarily mean that the banks will require any further capital. However; no eventuality, regardless of how remote, can be ruled out when predicting future events. I would nevertheless reiterate that based on the conservative assessments used in the PCAR/PLAR analysis of potential future scenarios for the banks, and indeed the Irish economy, I am entirely satisfied that the banks are currently well capitalised to serve the needs of the Irish economy following this round of measures.

### EU-IMF Fund

106. **Deputy Michael McGrath** asked the Minister for Finance when he expects to have the next formal opportunity to raise the issue of an interest rate reduction on Ireland's EU-IMF loan facility with our European partners; and if he will make a statement on the matter.

[22288/11]

**Minister for Finance (Deputy Michael Noonan):** A meeting of the Heads of State or Government of the Euro Area will be held today, 21 July 2011, in Brussels at the invitation of the President of the European Council, Mr Herman Van Rompuy to discuss the financial stability of the Euro Area as a whole and the future financing of the Greek programme. The Taoiseach is attending this meeting. The meeting is expected to discuss further enhancement of the EFSF, including the issue of reducing the cost of the funding for all programme countries. The Taoiseach will take the opportunity to support any proposal for a reduction in EFSF pricing, as it is the Government's strong position that the margin being charged on loans for all programme

countries from both the EFSM and the EFSF is excessive. The outcome of today's discussion will inform our approach on the pricing of all EU financial support, including our own programme.

107. **Deputy Michael McGrath** asked the Minister for Finance if he is seeking to have the maturities of the loans under the EU-IMF programme extended, in line with the intended additional flexibility in the EFSF as announced recently by the Eurogroup; and if he will make a statement on the matter. [22289/11]

134. **Deputy Michael McGrath** asked the Minister for Finance the elements of the planned enhanced flexibility in the EFSF that he intends to avail of; and if he will make a statement on the matter. [22409/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 107 and 134 together.

The Amendment to the EFSF Framework Agreement was signed by Euro Area Finance Ministers on July 13th 2011, subject to the completion of the necessary national parliamentary procedures of each Euro Area Member State. This amended Agreement was the outcome of months of negotiation and Member States have been requested to ratify the amended Agreement by the end of 2011 at the latest.

The main changes to the EFSF Framework agreement are to raise the maximum guarantee commitments to €780 billion, increase the effective lending capacity of the EFSF to €440 billion and broaden the scope of the EFSF whereby the EFSF may, on exceptional basis intervene in the primary debt market. Other changes include changes to the margin, pricing structure and the new advance margin, all of which are aim to improve the functioning of the EFSF and to facilitate reductions to the cost of borrowing from the EFSF.

On the 11th July, Euro Area Ministers discussed the deepening threat of contagion within the Euro Area and reaffirmed their absolute commitment to safeguard financial stability in the Euro Area. The statement issued by Eurogroup after the meeting noted that “To this end, Ministers stand ready to adopt further measures that will improve the euro area's systemic capacity to resist contagion risk, including enhancing the flexibility and the scope of the EFSF, lengthening the maturities of the loans and lowering the interest rates, including through a collateral arrangement where appropriate. Proposals to this effect will be presented to Ministers shortly”.

The interest rate applying to the funds Ireland borrows from the EFSF remains of concern to Ireland. The Government will continue to seek a reduction in our interest rate margin and to avail of any further enhanced flexibility to the EFSF that will lower the cost of borrowing to Ireland and facilitate Ireland's return to the market at the earliest opportunity.

In relation to the additional flexibility proposed for the EFSF, last week's statement noted that proposals are to be presented to Ministers. There proposals are being considered at today's meeting of Euro Area Heads of State and Government. Decisions on how to avail of any additional flexibility within the EFSF must await final agreement and implementation of such measures.

108. **Deputy Michael McGrath** asked the Minister for Finance if he raised with the EU-ECB — IMF representatives, during their recent mission review of the programme of financial assistance, the issue of the use of any proceeds from the sale of non-strategic State assets; if they confirmed agreement to use any such proceeds for measures other than paying down the national debt; and if he will make a statement on the matter. [22290/11]

**Minister for Finance (Deputy Michael Noonan):** The purpose of the quarterly review mission which was conducted by the EU / ECB / IMF representatives from 6th July to 14th July 2011 was to evaluate performance against the targets set for the third quarter of the Programme of Financial Support for Ireland including fiscal developments, the macroeconomic outlook, progress on commitments in the restructuring of the financial sector and structural reform. The EU-IMF Programme commitment on state assets relates to the fourth quarter of this year, and includes a provision that Government will discuss its plans with the EU Commission, the ECB and the IMF. Progress on this commitment was considered during the recent review, and the Government's commitments on asset disposals in the Programme for Government formed part of that discussion. It is expected that there will be further discussion with the Troika on asset disposals, including a further update at the next quarterly review, before decisions on asset disposals are finalised.

### **Credit Availability**

109. **Deputy Michael McGrath** asked the Minister for Finance the number of new residential mortgages approved by AIB; and the number drawn down to date in 2011 [22292/11]

110. **Deputy Michael McGrath** asked the Minister for Finance the number of new residential mortgages approved by Bank of Ireland; and the number drawn down to date in 2011 [22293/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 109 and 110 together.

The financial institutions named by the Deputy do not publish information pertaining to residential mortgage approvals as they deem this information to be commercially sensitive.

The most recent "IBF/PwC Mortgage Market Profile Quarterly Report on New Lending", which contains data relating to loans granted by IBF/IMC member institutions on an aggregate basis up to the end of Q1 2011, shows that there were 3,259 mortgage loans issued in this period with €577m in mortgages drawn down.

### **Fiscal Policy**

111. **Deputy Michael McGrath** asked the Minister for Finance if Ireland is required to achieve a fiscal correction of a nominal amount of €3.6 billion in 2012 or achieve an 8.6% under the EU's excessive deficit procedure rules; and if he will make a statement on the matter. [22294/11]

**Minister for Finance (Deputy Michael Noonan):** The General Government deficit target for 2012, as set by the ECOFIN Council in December 2010 is 8.6% of GDP. The Government is fully aware of the importance of that target in the context of the 2012 Budget. The Government is committed to implementing an overall adjustment package of at least €3.6 billion in 2012. This is to ensure the deficit target for 2012 can be achieved. As we go through the second half of the year, we will have to study closely the emerging trends, both positive and negative, and formulate what the likely outlook for 2012 will be.

### **Economic Competitiveness**

112. **Deputy Michael McGrath** asked the Minister for Finance the nominal amount of GDP and GNP expected to be achieved in 2011 based on all currently available economic data; the way this compares to the expectation when the budget for 2011 was announced [22295/11]

**Minister for Finance (Deputy Michael Noonan):** In Budget 2011, the Department of Finance forecast nominal GDP to be €161,200 million and for nominal GNP to be €127,900 million in 2011 (figures rounded to nearest €100m). These forecasts also underpinned the National Recovery Plan that was finalised in October 2010. The Department's latest forecasts were published in the Stability Programme Update (SPU) of April 2011 and thus had the benefit of six months more economic data.

These data pointed, in the main, to weaker than expected domestic activity that would not be compensated for by somewhat stronger external demand. While the possibility of such an outturn was identified in Budget 2011, the fact that these risks had started to materialise meant that they were taken into account in the SPU. As such the forecasts for GDP and GNP for this year were revised down in April's SPU to €156,075 million and €125,925 respectively (rounded to the nearest €25m).

Revised forecasts will be published in the pre-Budget Outlook in the autumn.

*Question No. 113 answered with Question No. 103.*

### **Budget Submissions**

114. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the work which will be carried out by him on the preparation of budget 2012 from the date Dáil Éireann rises to its resumption in September, including details of the expected contact with other Departments; and if he will make a statement on the matter. [22297/11]

**Minister for Finance (Deputy Michael Noonan):** Preparatory work on Budget 2012 is ongoing. Work will continue over the coming weeks and months in the lead up to the 2012 Budget in assessing all of the emerging economic and budgetary data and the implications they might have for 2012 and beyond. I will be kept fully informed of developments by my Department. Work on the Comprehensive Review of Expenditure (CRE) is also ongoing. The CRE will be a critical building block in formulating Government's budgetary policy for 2012 and beyond. The results of the Comprehensive Review process will be brought before Government for consideration and decision in the Budget and Estimates process later this year.

As Minister for Finance, I will be working very closely with the Minister for Public Expenditure and Reform over the coming weeks and months in the preparation of Budget 2012 as the expenditure estimates are obviously a key factor in devising budgetary policy. In that regard, and as is usual every year, the Department of Public Expenditure and Reform will be in contact with all line Departments. In addition, my Department is in routine contact with the Revenue Commissioners on a variety of matters which have a budgetary dimension, including those relating to tax policy and implementation and receipts from taxation. The Tax Strategy Group — an interdepartmental committee chaired by the Department of Finance, with membership comprising senior officials and advisors from other key Departments and the Revenue Commissioners — will also be meeting over the coming months in the lead up to Budget 2012.

My Department will publish a pre-Budget Outlook in October and it is intended that Budget 2012 will be presented to Dáil Éireann in early December, although the exact date has yet to be decided.

### **Tax Yield**

115. **Deputy Michael McGrath** asked the Minister for Finance the amount by which he expects VAT and PRSI receipts to fall short of budget 2011 expectations for the period 1 July 2011 to 31 December 2011 as a result of the measures in the jobs initiative; the amount he

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expects to receive from the pension levy in the same period, and the overall impact on the Exchequer returns for 2011 [22298/11]

**Minister for Finance (Deputy Michael Noonan):** The Jobs Initiative is designed to be funded on a budgetary neutral basis over the 2011 — 2014 period. The introduction of a reduced 9% VAT rate is expected to cost €120 million this year and the PRSI measures enacted as part of the Jobs Initiative are expected to cost €95 million in 2011. It should be noted that PRSI receipts are not received directly by the Exchequer as part of tax revenues, but are instead used to fund social welfare-related expenditure. The abolition of the Air Travel Tax is expected to cost €15 million this year. Total additional current expenditure to specified areas in 2011 arising from the Jobs Initiative will amount to €29 million, €18 million of which will be funded by the reallocation of existing resources and €11 million from the introduction of the levy on pension funds. Total additional capital expenditure to specified areas arising from the Jobs Initiative will amount to €135 million in 2011 which will be funded by the reallocation of €106 million from within existing resources and €29 million from the pension levy. The temporary Pension Levy being introduced to fund the Jobs Initiative is projected to yield €470 million this year. Therefore, in overall terms, there is a small net gain to the Exchequer in 2011 from the measures introduced as part of the Jobs Initiative. Over the 2011 — 2014 period as a whole, the Jobs Initiative will be budgetary neutral. The Department of Finance has not revised its aggregate tax forecast for this year. However, it will continue to closely monitor the performance of tax receipts during the remainder of the year.

#### **Financial Services Regulation**

116. **Deputy Michael McGrath** asked the Minister for Finance if he has plans to review the interest rates available through the various State savings products in view of the April and July 2011 ECB rate increase; and if he will make a statement on the matter. [22299/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the National Treasury Management Agency (NTMA), who are responsible for managing the National Debt and borrowing on behalf of the Exchequer, that the rates on the State Savings products are kept under constant review. There is no proposal to change those rates at present. The Agency considers that the rates offered remain attractive and that the products offer investors a good choice of investment opportunity.

#### **Bank Guarantee Scheme**

117. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, for each covered institution, of the number and identity of any directors who were a member of the board at the time of the original bank guarantee in September 2008 and continue to sit on the board at the present time [22300/11]

**Minister for Finance (Deputy Michael Noonan):** Subsequent to this month's AGM of AIB and consequent on the recent mergers involving EBS and INBS only ten pre-crisis directors will still be in post — a reduction of almost 90%. I do not propose to name the individuals here. For the information of the Deputy, of the above ten, four will be in office at Bank of Ireland, a further four at EBS Ltd — which will operate as a standalone, separately branded subsidiary of AIB with its own branch network — and the remaining two at Irish Life and Permanent. Six of these individuals hold executive positions with the remaining four occupying non-executive roles. Of the remaining institutions no pre-crisis directors are still in post.

The Deputy will be aware that as part of the Programme for Government we committed to restructuring bank boards and to replacing all directors who presided over the failed lending practices in the period to September 2008. He will also be aware that board and management renewal plans for the affected institutions are under consideration and that, as announced by the Central Bank of Ireland, all directors irrespective of date of appointment, who intend to be in office on 1 January 2012 will be subject to assessment against the new fitness and probity standards for such appointments which the CBI envisages being implemented by 1 September 2011.

### **National Asset Management Agency**

118. **Deputy Michael McGrath** asked the Minister for Finance if he believes the recent decision of the Supreme Court in the McKillen case will have any impact on the work of the National Asset Management Agency; and if he will make a statement on the matter. [22301/11]

**Minister for Finance (Deputy Michael Noonan):** NAMA advises me that the case has no impact on the management of loans totalling €72.3 billion which have already been acquired by the Agency. NAMA has informed Mr. McKillen of its intention not to acquire loans totalling €1.4 billion advanced by participating institutions to him and to debtor entities associated with him.

In relation to the residual loans of other debtors which have not yet been acquired, NAMA has written to the debtors concerned, in accordance with the right to fair procedure as ruled by the Supreme Court, and has sought their views on the eligibility of their loans and on the potential impact that NAMA acquisition of the loans may have on their interests. I understand that the NAMA Board will review submissions made by debtors and will then make decisions on whether to acquire the loans.

119. **Deputy Michael McGrath** asked the Minister for Finance if he will provide information on the total nominal value of loans acquired by the National Asset Management Agency to date in 2011; the price which has been paid; the total number of borrowers involved, including details of the number being managed by NAMA directly and the number managed by the NAMA units within the respective institutions; the overall discount applied to loans acquired from each institution; and if he will confirm if there are any further expected loan transfers to NAMA [22302/11]

**Minister for Finance (Deputy Michael Noonan):** In addition to loans totalling €71.2 billion which were acquired by NAMA in 2010, the Agency informs me that it acquired an additional €1.1 billion in loans in early March 2011. The loans acquired in 2011 were acquired from one institution at an acquisition price of €440m, which is a discount of 60%.

The tranche included loans from a total of 116 debtors, of whom 38 are directly managed by NAMA.

The Agency may also acquire up to an additional €2.4 billion following an engagement process currently underway with debtors whose loans have not yet been acquired. This engagement is in line with the right to fair procedures as ruled by the Supreme Court.

120. **Deputy Michael McGrath** asked the Minister for Finance the number of business plans which have been submitted to the National Asset Management Agency in 2011; and the number which have been agreed by the agency [22303/11]

**Minister for Finance (Deputy Michael Noonan):** NAMA informs me that to date, a total of 152 draft business plans have been received from the 179 major debtors whose debt will be

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directly managed by NAMA. In 74 of these cases, decisions have been made by NAMA and these have been communicated to the debtors. Another 78 debtor business plans are currently being reviewed. Debtor business plans are still awaited from the 27 other debtors whose affairs are also under the direct management of NAMA. Agreement has been reached in principle with 18 debtors and, in the case of another 27, enforcement proceedings are underway. In the case of the latter, receiver business plans, including plans for asset disposal, will be agreed between the receivers and NAMA.

In the case of debtors whose debt is being managed by participating institutions under delegated authority from NAMA, a FÁS-track business plan process is in place and those debtors are currently at various stages of engagement with the institutions about their business plans.

121. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the number of cases in which the National Asset Management Agency has become the owner of the land and or property due to the non-performing nature of the loans [22304/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the National Asset Management Agency that it has not, to date, taken direct ownership of land and property. In cases where enforcement has been necessary, it has appointed, or approved the appointment of, receivers.

122. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the percentage of loans acquired which are being repaid in full in line with the original loan agreement; the number which it regards as completely non-performing and any impact the level of non-performing loans is having on the National Asset Management Agency business plan [22305/11]

**Minister for Finance (Deputy Michael Noonan):** The National Asset Management Agency has estimated that, as at end-March 2011, 23% of loans (by nominal balances) were performing. These are loans which are not in arrears by reference to contractual cash payments or where the arrears are outstanding for less than 30 days. 77% of loans were at various stages of non-performance or were subject to enforcement action. In the case of 60% of loans, payments were in arrears for 120 days or more. The NAMA Business Plan envisaged a significant restructuring of debtor loans. This process has begun and the Agency advises that it will lead to a substantial shift in the performance profile of the loan book as debtor performance will be measured by reference to restructured loans.

123. **Deputy Michael McGrath** asked the Minister for Finance if the National Asset Management Agency intends to introduce greater transparency to its operations by publicly providing details of assets it intends to sell on the open market [22306/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed by the National Asset Management Agency that it will shortly be publishing, through its website, information provided to it by receivers and other insolvency professionals in relation to property which has been subject to enforcement in Ireland, Northern Ireland and Great Britain. This information will be updated on a regular basis.

124. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the amount the National Asset Management Agency has lent to borrowers since its inception [22307/11]



**Minister for Finance (Deputy Michael Noonan):** The National Asset Management Agency informs me that between 1 March 2010 and 30 June 2011, the Agency approved €900 million in new money advances to debtors. These funds are for purposes of working capital and development capital to enable viable projects to be brought to completion.

#### **National Asset Management Agency**

125. **Deputy Michael McGrath** asked the Minister for Finance the number of unfinished residential developments in which the National Asset Management Agency has come into the ownership of vacant properties. [22308/11]

**Minister for Finance (Deputy Michael Noonan):** I am informed that NAMA has not, to date, taken direct ownership of land and property. In cases where enforcement has been necessary, it has appointed, or approved the appointment of, receivers. While the Agency has not taken ownership of unfinished residential developments, it has recently announced that it will invest €3m to fund urgent construction and remedial work in a number of unfinished residential developments which are linked to loans acquired by it. The Deputy may also wish to note that the report of a Working Group set up by the Government to examine the issue and extent of unfinished estates in Ireland identified about 225 estates that were deemed to require immediate remedial attention. NAMA debtors have loans with an exposure to only 28 of those estates.

126. **Deputy Michael McGrath** asked the Minister for Finance the amount of professional fees broken down by type, which the National Asset Management Agency expects to incur between now and the end of 2011. [22309/11]

**Minister for Finance (Deputy Michael Noonan):** Between now and the end of 2011, NAMA expects to incur costs of €38 million as payment to 500 staff in participating institutions to carry out loan servicing on its behalf, in accordance with the provisions of Section 131 of the National Asset Management Agency Act 2009. The fee is applied on a cost recovery basis up to a limit of 10 basis points, and has been approved by the EU Commission under its State Aid rules and. It is expected that fees totalling €32 million will be paid for due diligence services, including legal, property valuation and loan valuation, in connection with the acquisition and valuation of NAMA's loan portfolio. It may be noted, however, that these costs are recovered from the participating institutions as a deduction on the acquisition price paid by NAMA.

Other expected costs of the order of €25 million include audit fees and fees payable to independent business reviewers to review debtor business plans.

127. **Deputy Michael McGrath** asked the Minister for Finance the outcome of the preliminary discussions held between the National Asset Management Agency, AIB and Bank of Ireland on the way the banks and the agency may be able to provide financial support to purchasers of residential properties linked to the agency or its debtors; if he will provide details of the agency's plans to ensure that any prospective buyer is protected from the risk of negative equity in the future; and if he will provide an up to date statement on these plans. [22310/11]

**Minister for Finance (Deputy Michael Noonan):** Preliminary meetings have taken place between NAMA and a number of financial institutions in relation to a residential mortgage initiative which is currently under consideration. The proposed initiative is being subjected to extensive analysis and further detailed discussions are scheduled to take place with the institutions over coming weeks. I am informed that NAMA intends to submit to me a detailed proposal in late September.

### EU-IMF Fund

128. **Deputy Michael McGrath** asked the Minister for Finance following the recent successful mission review by the troika, when the next draw down of funds under the EU-IMF programme is due to take place; if he will confirm the source from which the draw down will come; the amount involved; and if he will make a statement on the matter. [22381/11]

**Minister for Finance (Deputy Michael Noonan):** Ireland is due to draw down approximately €4.5 billion from EU/IMF sources during quarter 3 of 2011. Following the third review mission completed on 14th July 2011, the IMF and the European Commission Services will prepare staff reports for consideration by the IMF Executive Board on 29 August 2011, and Eurogroup/ECOFIN in September 2011. The disbursement of funds is conditional on approval by the EU and IMF following these reports.

The next planned disbursement from the IMF will be SDR 1.319 billion, equivalent to approximately €1.5 billion, and is scheduled to take place, subject to approval, after their Executive Board meeting on 29th August.

The next planned disbursement from EU sources is expected to be €2.5 billion. This disbursement is subject to the approval by Eurogroup/ECOFIN of the third quarterly review, expected to take place early September. It is anticipated that the disbursement will be between mid-September, and mid/end-October at the latest. The exact date depends primarily on market conditions.

Finally, the first disbursement of approximately €475 million under the bilateral loan agreement with the UK is also scheduled to take place following the third review, i.e. in the third quarter, but the details have yet to be finalised.

### Tax Yield

129. **Deputy John Lyons** asked the Minister for Finance the amount he estimates could be made from extending the current betting levy to remote and online betting including betting exchanges; and if he will make a statement on the matter. [22383/11]

**Minister for Finance (Deputy Michael Noonan):** The Finance Act 2011 contains legislation that, subject to a Ministerial Commencement Order, provides for the extension of betting duty to remote bookmakers and betting exchanges. The tax changes provided for in the Finance Act can only be implemented once the Betting (Amendment) Bill, which will provide for a regulatory and licensing regime, is enacted. The Betting (Amendment) Bill 2011 is currently at an advanced stage of drafting. It is expected that by including this high-growth area of the betting sector, particularly given the increasing prevalence of smart phones, the tax base from betting will be boosted significantly. In a full year it is expected that the tax yield could grow up to €20 million depending on the prevailing market conditions.

Just as important is the positive signal this measure will convey to international betting operations that have expressed an interest in or have already invested in Ireland. A location with an appropriate licensing framework coupled with relatively low taxes provides real investment and employment opportunities in this sector.

### Tax Reliefs

130. **Deputy John Lyons** asked the Minister for Finance if he will detail the property tax reliefs that exist; their current annual cost to the State in tax forgone; and if he will make a statement on the matter. [22394/11]

**Minister for Finance (Deputy Michael Noonan):** It is assumed that the Deputy is referring to the following two property-based tax incentive schemes that remain in the tax code: the scheme for Qualifying Specialist Palliative Care Units (subject to Commencement Order) and the Mid-Shannon Corridor Tourism Infrastructure Investment Scheme under which tax relief applies to qualifying expenditure incurred up to 31 May 2015. I am informed by the Revenue Commissioners that based on information regarding the cost of these schemes, which has been received and collated for the tax year 2009, the latest year for which data is available, the estimated annual cost to the Exchequer in terms of tax forgone is €0.2 million.

All other such property-based schemes have been terminated, subject to transitional arrangements for certain schemes where projects were already in the pipeline. However, due to their nature these “legacy” reliefs continue to impose ongoing costs on the Exchequer in terms of tax foregone.

I have initiated an economic impact assessment in relation to all the “legacy” property-based tax reliefs, and a public consultation is currently underway as the first stage in that process. The results of this assessment will be considered in the context of the forthcoming Budget.

### Tax Code

131. **Deputy John Lyons** asked the Minister for Finance the steps he intends to take to implement a minimum effective tax rate of 30% for very high earners, the additional revenue he believes this would generate for the Exchequer; and if he will make a statement on the matter. [22396/11]

**Minister for Finance (Deputy Michael Noonan):** The existing restriction of reliefs, or horizontal measure is activated where individuals have an adjusted income of €125,000 and claim specified reliefs of €80,000 or more. Those subject to the full restriction, at adjusted incomes of €400,000 or greater, pay an effective income tax rate of 30% in addition to PRSI and Universal Social Charge. The list of specified reliefs that are subject to the restriction are set out in Schedule 25B of the Taxes Consolidation Act 1997. Broadly, the reliefs restricted are the various property based tax incentives and certain other reliefs such as the Business Expansion Scheme, film relief and donations relief. Also restricted are certain tax exemptions including artistic income and patent royalties. The normal deductible items available to the broad range of taxpayers such as medical expenses, trade union subscriptions, the personal tax credits and exemptions such as that for child benefit are not restricted. Similarly, normal business expenses and deductions for capital allowances on plant and machinery, as well as genuine business related trading losses are not restricted.

When the amended restriction was announced in Budget 2010, it was estimated that the changes would yield approximately €55 million in addition to the existing yield of €40 million.

It is worth pointing out that taxpayers who only claim personal tax credits, pay an effective rate of income tax of around 30% where their annual incomes exceed €125,000 approximately.

132. **Deputy John Lyons** asked the Minister for Finance his plans to abolish tax shelters that primarily benefit very high earners; and if he will make a statement on the matter. [22397/11]

**Minister for Finance (Deputy Michael Noonan):** In the Programme for Government we have committed to reducing, capping or abolishing property tax reliefs and other tax shelters which benefit very high income earners. I would point out to the Deputy that the existing restriction of reliefs or horizontal measure is activated where individuals have an adjusted income of €125,000 and claim specified reliefs of €80,000 or more. Those subject to the full restriction, at

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adjusted incomes of €400,000 or greater, are required to pay an effective income tax rate of 30% in addition to PRSI and levies.

The list of specified reliefs that are subject to the restriction are set out in Schedule 25B of the Taxes Consolidation Act 1997. Broadly, the reliefs restricted are the various property-based tax incentives and certain other reliefs such as the Business Expansion Scheme, film relief and donations relief. Also restricted are certain tax exemptions including artistic income and patent royalties. The normal deductible items available to the broad range of taxpayers such as medical expenses, trade union subscriptions, the personal tax credits and exemptions such as that for child benefit are not restricted. Similarly, normal business expenses and deductions for capital allowances on plant and machinery, as well as genuine business related trading losses are not restricted.

Specifically in relation to property tax reliefs, an assessment process has been commenced to consider the possible impacts of reducing, capping or abolishing the “legacy” property-based tax reliefs. The impact assessment will consider the economic impact of curtailing the costs to the State of outstanding or ‘legacy’ reliefs, which have so far not been fully claimed by investors.

Our objective in conducting the assessment, which includes a public consultation, is to gain a better understanding of the benefits that may accrue to the Exchequer in terms of additional tax yield as well as consequences for investor groups and the wider economy arising from possible changes to the treatment of these reliefs. The results of this assessment will inform the budgetary process.

### **Personal Debt**

133. **Deputy John Lyons** asked the Minister for Finance his plans to regulate money lenders and debt collectors; and if he will make a statement on the matter. [22404/11]

**Minister for Finance (Deputy Michael Noonan):** The Deputy may wish to know that there is already a comprehensive regulatory licensing system in place for moneylenders. Moneylenders have to apply to the Central Bank annually to have their licenses renewed. Section 93 of the Consumer Credit Act 1995 (as amended) sets out the Central Bank’s powers in relation to the grant or refusal of a moneylender’s license. The appropriate moneylending application form (new or renewal) must be completed and returned to the Central Bank with a number of items, for review and consideration. In addition to the licensing system, the Central Bank has in place a Consumer Protection Code for Licensed Moneylenders (the Code). The Central Bank has power to impose sanctions on moneylenders for a contravention of the Code. The Code sets out the General Principles with which a moneylender must comply. For example, a moneylender must act honestly and professionally, with due skill, care and diligence in the best interest of consumers. The Code also places requirements on moneylenders in relation to the provision of information to the consumer, preservation of a consumer’s rights, knowing the consumer, suitability, unsolicited contact (cold calling), disclosure, errors, handling complaints, consumer records, unsolicited credit facilities, arrears and guarantees, debt collection and the contents and presentation of advertisements.

On 18 February 2011, the Central Bank published the results of a themed inspection of licensed moneylenders. The inspection showed a high level of compliance amongst firms, with the requirements of the Code. Inspections were conducted in 11 of the 46 licensed moneylenders currently operating in Ireland. The inspections focused on whether consumers were being charged in accordance with the moneylenders’ authorised APRs (Annual Percentage Rates) and costs of credit as set out in the moneylenders’ licenses. It also examined whether firms had their licenses on display and if they indicated the high-cost nature of loans on loan

documentation issued to consumers, as required by the Code. Overall the inspections found a high level of compliance with the requirements and that consumers were being charged in accordance with the moneylenders' authorised APRs and costs of credit. In addition, firms had their licenses on display and indicated the high-cost nature of loans on loan documentation issued to consumers.

I would expect that, in future, the Annual Regulatory Performance Statement of the Central Bank will refer to the regulation of moneylenders. This statement will be presented to each House of the Oireachtas. The Central Bank Reform Act 2010 provides that a Committee of the Oireachtas may request the Governor of the Central Bank or the Head of Financial Regulation to attend before it and provide information relating to the regulatory performance statement. This will allow deputies the opportunity to seek relevant information on regulatory matters, including the regulation of moneylenders.

The regulation of debt collectors is a matter for my colleague, the Minister for Justice and Equality.

*Question No. 134 answered with Question No. 107.*

### **EU-IMF Fund**

135. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the amount of Government bonds held by each of the Irish banks; and if he will make a statement on the matter. [22410/11]

**Minister for Finance (Deputy Michael Noonan):** I refer the Deputy to my reply to his question number 14024/11 on this topic which was taken on Thursday, 2 June 2011 and provided data on the sovereign exposures of the four domestic institutions subject to the Prudential Capital Assessment Review (PCAR) 2011 exercise. Detailed information on the sovereign exposure of the four institutions was published by the Central Bank in the Financial Measures Programme Report on 31 March 2011. The Central Bank also published the results of the European Banking Authority (EBA) stress tests on Allied Irish Bank (AIB), Bank of Ireland and Irish Life and Permanent (IL&P) on 15 July 2011 and they are available on the Bank's website. I am informed by the Central Bank that those results which, like the data given in my reply of 2 June 2011 in relation to the PCAR exercise, are based on the situation at 31 December 2010, include data for the debt holdings of the Irish banks but figures for holdings of Irish government bonds are not shown separately.

### **Appointments to State Boards**

136. **Deputy Anne Ferris** asked the Minister for Finance the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22438/11]

**Minister for Finance (Deputy Michael Noonan):** I intend to ensure that all boards, under the aegis of the Department of Finance, will have an appropriate gender balance.

### **Financial Services Ombudsman**

137. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details of the number of complaints currently under consideration by the Financial Services Ombudsman; the number of new complaints received in each of the years 2008, 2009, 2010 and to date in 2011; and if he will provide a breakdown of the complaints received by headings and the typical length of time it is taking for a complaint to be disposed of. [22468/11]

**Minister for Finance (Deputy Michael Noonan):** The Financial Services Ombudsman's Bureau has advised me that the number of complaints currently under consideration by the Financial Services Ombudsman is 3,901.

The average length of time required to process a complaint through all stages and issue a finding is between 9 and 11 months.

The number of new complaints received in each of the years 2008 to 2010 and in the period to 19 July 2011 is as follows:

Year	Number of New Complaints
2008	5,947
2009	7,619
2010	7,230
2011 (to 19 July 2011)	4,132

The Bureau has three main sectors covering insurance, banking and investment products. Each sector has its own particular complaint heading type relative to the nature of the complaints, as follows:

*Insurance*

- Claim Handling
- Customer Care
- Terms and Conditions
- Fees & Charges
- Mis-selling
- Non-Disclosure
- Policy Review
- Pre-Existing Condition
- Premium Rates
- Refusals
- Renewal/Lapse/ Cancellation of Policy
- Repudiation of Claim/Settlement Amount
- Subrogation/No claim bonus/ Pre-Accident Value of Motor vehicles
- Surrender Values/Bonus Rates

*Banking*

- Cheques
- Credit Rating ICB
- Customer Care
- Direct Debit/Standing Orders
- Disputed Balances & Transactions
- Terms and Conditions
- Fees & Charges

- Interest Applied
- Leasing Agreements
- Maladministration
- Mis-selling
- Opening/ Closing Accounts
- Overdrafts
- Refusal
- Repayment Terms
- Type of Mortgage
- Unauthorised Withdrawals

#### *Investment Products*

- Maladministration & Customer Care
- Mis-selling and Misrepresentation
- Poor Performance of policy/Fees & Charges

### **Tax Code**

138. **Deputy Michael McGrath** asked the Minister for Finance if there are discussions ongoing between officials in his Department and officials at European level regarding plans at European level to introduce a common consolidated corporate tax base; and if he will make a statement on the matter. [22476/11]

**Minister for Finance (Deputy Michael Noonan):** On 16 March this year the European Commission, which has the right of initiation in terms of bringing forward legislative proposals, published its proposal for a Common Consolidated Corporate Tax Base. This represented the beginning of a protracted process that will involve a detailed examination of the Proposal, line by line, by all Member States at Council. Since the Commission's proposal has been published, Department of Finance officials, along with officials from the Revenue Commissioners have been attending the Working Party on Tax Questions which is the forum for discussions on the proposal. To date, my officials have attended meetings on a monthly basis in relation to the proposal.

Both I and the Government have made it clear that Ireland, like all other Member States, intend to actively engage in that process because only in that way can we absolutely ensure that all of the arguments are brought to the table.

I want to assure the Deputy that it is clearly understood that our engagement is strictly on the basis that taxation is a matter of national competence and that the principle of unanimity in taxation is fully respected.

### **Departmental Equipment**

139. **Deputy Dara Calleary** asked the Minister for Finance the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22489/11]

**Minister for Finance (Deputy Michael Noonan):** Sixty Seven servers are owned, and zero servers are leased by the Department of Finance. The "capacity" of each server ranges from 1Gb to 32Gb RAM; 32Gb to 8Tb Hard Disk Drive; and 1 to 2 CPUs. It is not possible for all

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State agencies to reply within the timeframe. However the following responses have been received from some agencies.

*The Special EU Programmes Body (SEUPB);*

- Total number of SEUPB, physical servers: 17. These servers are located in the BelFÁSt, Monaghan and Omagh offices of the SEUPB.

Location/SERVER NO	Capacity (in Gigabytes)
BELFÁST/SERVER 1	270
BELFÁST/SERVER 2	270
BELFÁST/SERVER 3	420
BELFÁST/SERVER 4	680
BELFÁST/SERVER 5	200
BELFÁST/SERVER 6	140
BELFÁST/SERVER 7	75
BELFÁST/SERVER 8	135
BELFÁST/SERVER 9	820
BELFÁST/SERVER 10	820
BELFÁST/SERVER 11	140
BELFÁST/SERVER 12	140
OMAGH/SERVER 1	280
OMAGH/SERVER 2	280
OMAGH/SERVER 3	820 (DR FOR BelFÁSt)
MONAGHAN/SERVER 1	280
MONAGHAN/SERVER 2	280

To note — the SEUPB is currently in the process of rationalising its IT infrastructure which will reduce the number of physical servers the Body requires. This forms part of the SEUPB's Virtualisation Strategy which will allow it to create greater efficiencies in its IT delivery.

NTMA Group:

Server Name	Capacity (GB)
Server 001	2400
Server 002	2400
Server 003	2400
Server 004	2400
Server 005	2292
Server 006	2292
Server 007	1800
Server 008	1492
Server 009	1168
Server 010	1168
Server 011	1168
Server 012	1168
Server 013	1168
Server 014	1168
Server 015	1168
Server 016	1168



Server Name	Capacity (GB)
Server 017	1168
Server 018	876
Server 019	876
Server 020	876
Server 021	876
Server 022	876
Server 023	876
Server 024	876
Server 025	876
Server 026	876
Server 027	876
Server 028	876
Server 029	876
Server 030	876
Server 031	876
Server 032	876
Server 033	876
Server 034	730
Server 035	730
Server 036	730
Server 037	730
Server 038	657
Server 039	657
Server 040	584
Server 041	584
Server 042	584
Server 043	584
Server 044	584

### State Banking Sector

140. **Deputy Michael McGrath** asked the Minister for Finance the remuneration package in place for the chief executive officer of Anglo Irish Bank. [22502/11]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy will be aware, the covered institutions continue to be managed at arms length basis, notwithstanding the large shareholding the State holds, in relation to operational matters subject to compliance with prevailing Government policy. This is important from the point of view of ensuring that their operations are managed, by their respective boards and management on a commercial basis in the best interests of, in the case of Anglo Irish Bank, the State. I am advised by the bank that the remuneration package applicable to the Group Chief Executive post consists of a base salary with additional benefits including monthly contribution to a defined contribution pension scheme, a car allowance, a temporary rent allowance, agreed travel expenses, agreed relocation related expenses and club subscriptions.

In relation to the issue of the base salary applying to the position in the Deputy's question, the prevailing Government policy revolves around the recommendations of the Covered Institutions Remuneration Oversight Committee (CIROC) set up by my predecessor. The base

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salary applicable to the post of Group Chief Executive of the bank is set at €500,000 in line with the CIROC recommendation as amended by Government in March 2009.

The bank further informs me that it does not operate a performance related bonus scheme for executives hence no annual performance bonus has been paid or awarded to the Group Chief Executive during the year ended 31 December 2010.

Further information in relation to the remuneration of the Group Chief Executive is published in Note 54 to the bank's Annual Report and Accounts 2010.

The Deputy will be aware that, as part of the remuneration review underway at the covered institutions, the institutions have been asked to consider measures that could be taken to realign staff expectations with regard to remuneration and benefits in the current economic environment and financial circumstances of the banks.

141. **Deputy Michael McGrath** asked the Minister for Finance if, following the merger of Anglo Irish Bank and Irish Nationwide, any senior executive in the newly merged institution will be having his or her remuneration package reduced; and if he will provide an organisation chart of the way the new institution will look from a corporate governance perspective. [22522/11]

150. **Deputy Michael McGrath** asked the Minister for Finance if, following the merger of AIB and EBS, any senior executive in the newly merged institution will be having his or her remuneration package reduced; and if he will provide an organisation chart of the way the new institution will look from a corporate governance perspective. [22618/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 141 and 150 together.

The Deputy will be aware that the merger of the respective institutions referred to in his questions was announced on 1 July 2011. The future organisational and operational structures of the combined entities is under detailed consideration. This will be finalised over time in a manner which creates the best possible fit to deliver on the Government's policy of restructuring the banking sector to achieve the objectives of returning the sector to long-term viability and profitability and breaking dependence on the State.

In relation to the issue of remuneration raised by the Deputy in his questions, he will be aware that, as part of the remuneration review underway at the covered institutions, the institutions have been asked to consider measures that could be taken to realign staff expectations with regard to remuneration and benefits in the current economic environment and financial circumstances of the banks.

### **Banking Sector Remuneration**

142. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, including the overall value involved and the number of current and former employee beneficiaries, of any of the following payments at AIB during 2011 guaranteed bonus, contractual bonus, cash long-term incentives, deferred bonus and retention payments; and if he will make a statement on the matter. [22536/11]

143. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, including the overall value involved and the number of current and former employee beneficiaries, of any of the following payments at Bank of Ireland during 2011: guaranteed bonus,

contractual bonus, cash long term incentives, deferred bonus and retention payments;; and if he will make a statement on the matter. [22539/11]

144. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, including the overall value involved and the number of current and former employee beneficiaries, of any of the following payments at Anglo Irish Bank during 2011: guaranteed bonus, contractual bonus, cash long term incentives, deferred bonus and retention payments; and if he will make a statement on the matter. [22540/11]

145. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, including the overall value involved and the number of current and former employee beneficiaries, of any of the following payments at INBS during 2011: guaranteed bonus, contractual bonus, cash long term incentives, deferred bonus and retention payments; and if he will make a statement on the matter. [22541/11]

146. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, including the overall value involved and the number of current and former employee beneficiaries, of any of the following payments at EBS during 2011: guaranteed bonus, contractual bonus, cash long term incentives, deferred bonus and retention payments;; and if he will make a statement on the matter. [22542/11]

147. **Deputy Michael McGrath** asked the Minister for Finance if he will provide details, including the overall value involved and the number of current and former employee beneficiaries, of any of the following payments at ILP during 2011: guaranteed bonus, contractual bonus, cash long term incentives, deferred bonus and retention payments;; and if he will make a statement on the matter. [22543/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 142 to 147, inclusive, together.

The Deputy will be aware that the institutions continue to be managed at arms length basis, notwithstanding the large shareholding the Government holds. Accordingly, I do not compile the data sought by the Deputy at the level of detail he is seeking. This also applies to a whole series of questions put down for answer on the issue of remuneration matters at the covered institutions lately.

As I have said in response to these questions, my Department cannot compile data on a bespoke basis in relation to a large number of differently framed remuneration related questions at once, in the timeframe applicable to parliamentary replies and within the resources available, so I am seeking to find an approach that can properly respond to the clear public interest here.

As I have indicated in other replies yesterday on the same subject, far from wanting to restrict access to such information, I fully recognise that there is a real public interest in the levels of remuneration at the covered institutions. I have asked the institutions to compile data on remuneration practices and details with a view, as part of the remuneration review presently being conducted by the institutions at the request of my Department, to improving transparency on the issue. I will endeavour to have this completed in light of the above comments in the shortest timeframe possible with a view to putting the information into the public domain.

#### **Consultancy Contracts**

148. **Deputy Joe McHugh** asked the Minister for Finance if he will provide a report of the

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number consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter.  
[22598/11]

**Minister for Finance (Deputy Michael Noonan):** The information sought by the Deputy is as follows. It is not possible to provide all the information in a short time frame and more specific information will be provided to the Deputy in relation to the implementation of recommendations.

Company	Year	Cost	Description
McCann Fitzgerald	2008	€48,400	Advice on tender procedures and drafting of contracts for the provision of foreign travel
McCann Fitzgerald/ Raymond Burke Consulting	2003	€54,450	Advice on tender procedures and drafting of contracts for the provision of foreign travel
Deloitte & Touche	2001	€97,000	Annual Audit on the operation of travel policy by Government Departments and Office and Club Travel Ltd
Deloitte & Touche	2000	€97,154	Annual Audit on the operation of travel policy by Government Departments and Office and Club Travel Ltd
Deloitte & Touche	1999	€74,413	Annual Audit on the operation of travel policy by Government Departments and Office and Club Travel Ltd
KPMG / Raymond Burke Consulting	1998	€36,900	Advice on tender procedures and drafting of contracts for the provision of foreign travel

Name	Date Published	Duration	Cost	Report carried out by
Review of Arrangements for the Design of follow up Surveys of people participating in training courses under the Employment and Human Resources Operational Programme	Mar 2002	3 months	€40,207	Capita Consulting
Employment and Human Resources Development Operational Programme : Evaluation of Provision and Targeting of Measures	Jul 2002	8 months	€116,112	Fitzpatrick Associates
Evaluation of Public Transport Priority	Aug 2002	8 months	€96,674	Indecon
Evaluation of Investment in the Road Network	Aug 2002	8 months	€174,462	Fitzpatrick Associates
Evaluation of Eco—Auditing	Jan 2003	7 months	€72,067	Economic and Social Research Institute
Evaluation of the Equal Opportunities Childcare Programme 2000-2006	April 2003	10 months	printed in-house	NDP/CSF Evaluation Unit
Mid-Term Evaluation of NDP/CSF	Oct 2003	6 months	€401,115	Economic and Social Research Institute

Name	Date Published	Duration	Cost	Report carried out by
Evaluation of Social Inclusion Co-ordination Mechanism	October 2003	6 months	printed in-house	Internal
Review of Relevance of NDP/CSF Horizontal Principles to the OP Measures	April 2004	4 months	printed in-house	NDP/CSF Evaluation Unit
Evaluation of the In-Company Training Measures	July 2005	10 months	In house	NDP/CSF Evaluation Unit
Evaluation of water service investment in the NDP/CSF 2000-2006	Aug 2005	9 months	€163,201	Fitzpatrick Associates
Update Evaluation of Community Support Framework	Nov 2005	4 months	€91,889	Fitzpatrick Associates
Expenditure Review Initiative First Formal Report to the Minister for Finance by the Expenditure Review Central Steering Committee (for period June 2002 June 2004)	November 2004	9-10 months	printed in-house	The Expenditure Review Initiative Central Steering Committee, with assistance from the Expenditure Review Initiative Secretariat in the Department of Finance.
Value for Money and Policy Review initiative Guidance Manual	March 2007		€14,400 consultancy cost in respect of drafting certain aspects of the guidance manual.	Epsilon Consulting

## National Treasury Management Agency

(Inclusive of State Claims Agent, National Development Finance Agency, National Pension Reserve Fund and National Asset Management Agency)

2008

Body	Name of Report or Review	Cost (ex VAT)
National Treasury Management Agency	PwC Review of Technical and Operational Procedures in relation to the Prize Bond Scheme	**

2009

Body	Name of Report or Review	Cost (ex VAT)
National Treasury Management Agency	London Economics Report on Derivation of Long-Term Economic Value Adjustment Factors	€94,080

[Deputy Michael Noonan.]

2010

Body	Name of Report or Review	Cost (ex VAT)
National Treasury Management Agency	Accenture Review of NTMA Corporate Services	**

## National Pension Reserve Fund Commission

2008

Body	Name of Report or Review	Cost (ex VAT)
National Pension Reserve Fund Commission	WM Review of Fund Investment Performance	**

2009

Body	Name of Report or Review	Cost (ex VAT)
National Pension Reserve Fund Commission	PwC Due Diligence Report on Bank of Ireland*	€650,000
National Pension Reserve Fund Commission	PwC Due Diligence Report on Allied Irish Banks plc*	€650,000
National Pension Reserve Fund Commission	Arthur Cox Due Diligence Report on Bank of Ireland*	€500,000
National Pension Reserve Fund Commission	Arthur Cox Due Diligence Report on Allied Irish Banks plc*	€900,000

2010

Body	Name of Report or Review	Cost (ex VAT)
National Treasury Management Agency	Aksia Review of Hedge Funds Investment Strategy.	**

\*These reports were commissioned at the request of the Minister for Finance in the context of the State's preference share investment through the National Pensions Reserve Fund in Bank of Ireland and Allied Irish Banks plc.

\*\*Commercial confidentiality provisions in the relevant contracts preclude the publication of the fees paid in respect of these individual reports. However, the total costs (ex VAT) in respect of the 9 reports referred to above are €3,131,330.

*Special EU Programmes Body*

The Cost in relation to the reports and reviews carried out by the Special EU Programmes Body listed below would have been jointly funded by the European Union, the Department of Finance and the Department of Finance and Personnel. The majority of the Reports and Reviews were commissioned for the INTERREG IVA and PEACE III European Structural Funds Programmes, The EU funds 75% of INTERREG IVA programme costs and 67.5% of the PEACE III Programme costs, with Ireland and the United Kingdom providing the remaining funding.

The Special EU Programmes Body is responsible for the management of the PEACE III and INTERREG IVA Programmes which value some €333m and €256m respectively.

In line with public expenditure requirements and as agreed with Accountable Departments, all applicants seeking funding under the Programmes are subject to a robust and defined assessment process. All applications meeting the basic eligibility criteria and seeking funding of over £500,000 will automatically be subject to a full Economic Appraisal (EA). These appraisals make up the majority of external reports and reviews commissioned by the Special EU Programmes Body.

Please note that there are a number of instances where a contract has been awarded to a provider for completion of a block of Economic Appraisals. Detail on the individual Economic Appraisals contained within these contracts is not available within the required timeframes but can be provided upon request.

The information presented is based on the Special EU Programmes Body Consultant Register as at 16 November 2010 and costs outlined within Tables 1-3 are based on the total costs stipulated at the time of award of contract. Should a contract complete under budget, this will not be reflected within the Tables. The Special EU Programmes Body appraisals make up the majority of external reports and reviews commissioned by Special EU Programmes Body.

Please note that there are a number of instances where a contract has been awarded to a provider for completion of a block of Economic Appraisals. Detail on the individual Economic Appraisals contained within these contracts is not available within the required timeframes but can be provided upon request.

The information presented is based on the Special EU Programmes Body Consultant Register as at 16 November 2010 and costs outlined within Tables 1-3 are based on the total costs stipulated at the time of award of contract. Should a contract complete under budget, this will not be reflected within the Tables. The Special EU Programmes Body estimates that the number of contracts to which this applies is negligible. Should however, further costs be incurred on a contract, these will be described as Annex Bs within Tables 1-3.

Table 1: External Reports and Reviews Conducted by SEUPB in 2008

Name of Report or Review	Cost £	Cost €
East Border Region Multi-Annual Plan	8,166	
North East Partnership Multi-Annual Plan	11,103	
Centre for Sport & Interculturalism	8,812	
Programme Branding Review		40,000
EA Annex B — East Border Arts Project (Original Annex A 95/04)	3,466	
EA Annex B — Sharing a vision for our coastline (Original Annex A 39/06)	2,879	
EA Annex B — Geographical Information Project (Original Annex A 45/06)	2,726	
EPI Project	3,525	
Destination North West	4,230	
Cross Border Railway Cluster	3,290	
NWEEC Waste Management	3,290	
Impact Evaluation for the INTERREG IIIA Programme	25,554	
Assessment & EA of the Multi Annual Plans submitted by COMET, ICBAN & NWRCBG	17,927	

[Deputy Michael Noonan.]

Name of Report or Review	Cost £	Cost €
EA Annex B — Composting for the Mushroom Industry		5,950
Off Shore Electricity Transmission Grid Between Ireland, N. Ireland & Scotland	6,991	
Economic Appraisal (EA) — Programme specification for the Creative Industries Sector	5,611	
To undertake an independent assessment and review of the Project Kelvin.	5,875	
Economic Appraisal to cover additional funds to the SYNERGY Project.	4,112	
Addendum to the Economic Appraisal to cover additional funds to the Digital Media Works Project	2,937	
To undertake an Economic Appraisal of the Sail West Project Under INTERREG IVA	6,756	
To undertake an Economic Appraisal on PEACE III, Priority 2.1 project — Balloo Community Wetland Project — North Down Borough Council	5,874	
To undertake an Economic Appraisal on PEACE III, Priority 2.1 project — Castlesaunders — All Ireland Scouting/Jamboree Centre — Cavan County Council	8,166	
Production of Common Chapter (North/South) Activity Report for 2006	18,682	
EA- Annex B — North East Partnership Multi-Annual Plan	2,115	
East Border Region Multi-Annual Plan	2,673	
EA & project assessment of 4 local authority peace & reconciliation action plans	29,421	
EA & project assessment of 5 local authority peace & reconciliation action plans	37,600	
EA & project assessment of 5 local authority peace & reconciliation action plans	32,959	
Economic Appraisal Transforming Conflict in Border Communities	9,635	
Analysis study of Protestant working class areas and the development of a Peace III project proposal	20,327	
EA on actions contained within EBR's Collaboration Theme of their Multi Action Plan	21,358	
EA on actions listed within ICBAN's Collaboration Theme of their Multi Action Plan	15,030	
EA on actions listed within North West Region Cross Border Group's Collaboration of Multi Action Plan	12,500	
Management of the successful dissolution of LSP companies seeking to close following P2 programme	53,239	
EA Northern Ireland Prison Service application	4,600	
EA of 9 PEACE III 1.1 projects	33,120	
EA of 6 PEACE III 2.1 projects	22,080	
	Total €	785,897

Table 2: External Reports and Reviews Conducted by SEUPB in 2009

Name of Report or Review	Cost £	Cost €
Design and implementation of a functional records management policy & system		19,164
EA on the Resource I/Reg IVA Project	5,750	
EA Achieving Sustainable Councils	5,750	



Name of Report or Review	Cost £	Cost €
EA Connexions	4,082	
EA Blackwater River Catchment Project	5,750	
EA on Workspace at Enniskillen Airport/Innovative Enterprise Prog/HAATCH Projects	14,950	
EA Annex B EA PEACE III Priority 1.1 Children and Young People Building Relations(original 70/07)	1,028	
EA Annex B Conflict Transformation from the bottom up(original 75/07)	2,937	
EA on business incubation support for BelfÁSt/North Down/Sligo	6,325	
EA on the innovation and growth programme for NEP which aims to build the success of previous Product Transfer programme	3,565	
Establish a Rural Environmental Co-operative which will provide cross border catchment services to farmers and rural households in Lough Melvin	6,325	
EA for proposed collaboration project from RNIB with NCBI and deafhear	6,613	
EA Collaboration to fund a project aimed at building infrastructure to address current shortage of language service professionals working with the deaf	4,025	
EA Collaboration between DHSSPS & DELHLG & NIFRS with six fire and rescue services in the border	4,313	
EA Annex B — EA Success through Succession — (original annex A = 41/08)	3,140	
EA Cooperation and Working Together — (original Annex A = 33/08)	5,493	
EA On Diversity Across Border Projects	4,025	
Ea Borderwise Cross Border Project	4,542	
To undertake additional work required on the common Chapter Report	920	
EA on two operations within marine tourism and angling development project	3,795	
Annex B Create dvd to mark the closure of PEACE and INTERREG IIIA (original 87/08)	8,321	
Development of SEUPB Website so it meets current best practice	52,499	
EA Developing Governance in Transition/Vital Links/Int Childhood Network/FAIR/ The Most Project	14,850	
Annex B EA BNcB	3,482	
Business Plan for Peace III Priority 2.1 project Clones Erne East Sports Partnership	6,037	
EA for an energy project	5,750	
2 EA The Power of Possibility and Developing a Peace Building InFÁStructure	8,395	
EA on PEACE II 1.1 Promoting Inter-Culturalism North/South	4,600	
EA of the Construction Business project under the Enterprise Theme of ICBAN's MAP	3,479	
EA of The Green Business Project under the Enterprise theme of ICBANs MAP	4,594	
EA on the Cultural Tourism Network project form the COMET MAP	4,477	
EA of 3 projects in the NEP MAP under tourism theme Biker Trip/Causeway Coast/Gobbins	12,592	
EA on 3 projects under the Tourism Theme of the North West Regions Multi Action Plan	9,487	
EA of 4 projects in the ICBAN MAP= Border uplands/ECO Tourism/Crossborder angling/Events and Festival Management Support	16,503	
Review PEACE III+INTERREG IVA programmes performance		74,115
EA Annex B Borderwise Cross Border Project	1,144	

[Deputy Michael Noonan.]

Name of Report or Review	Cost £	Cost €
EA Annex B Connexions	1,064	
EA Annex B on Loughs Agency, Marine Tourism & Angling Project in Foyle and Carlingford	3,770	
EA Annex B on the ifactory application	1,880	
EA for East Border Region Partnership application under tourism	12,075	
Completion of Sports Dev Plan for PEACE III Clones Erne/East Sports Partnership	4,600	
EA Annex B Consultant to address comments from DETI on BNCB proposal under INTERREG IVA	799	
EA on 2 FAIR projects/CAPABLE project/BOBCAT project	6,635	
EA of one Co-operation Ireland project — Effective Choices Helping Ourselves	3,450	
EA on the continuation of WAVE key services	6,900	
EA Annex B To update Tradelinks II application	1,552	
EA Annex B EBR Wider Cross border Regional Work	1,573	
EA Intertrade Ireland/East Border Region/North West Region Cross Border Group	4,600	
EA Annex B on the Resource I/Reg IVA Project	1,088	
5 EA relating to The Administration Costs of the Cross Border P/ship Groups receiving funding under INTERREG IVA	14,087	
Propose a methodology to the Member States on the appropriate methods and rates to be applied to facilitate simplification of management administration and control of ERDF funded organisations	8,104	
To review the contract and completed works for the Strabane-Lifford Waterways	3,237	
3rd Annex B EA on the Tradelinks II application-worked not covered in original TOR	120	
EA Annex B Sailwest	6,095	
2 EA Moving away from violence project and International network of youth centred public service providers project	9,200	
4 EA Group A Forward learning/Sligo Vo Educ Comm/Rural Dev Council/NW Play resource centre	14,778	
4 EA Group B Cooperation Ireland/Irish congress of Trade unions/PSNI/BCC Growing a learning city	14,778	
Perception Surveys	10,275	
EA Annex B North West Regional Sports campus	548	
EA 2nd Annex B North West Regional Sports campus	1,150	
2 EA Spatial Planning Analysis and Info sharing and Urban-village renewal	7,100	
To undertake a needs analysis study on West Tyrone Voice and to develop a project pipeline in order to submit an application	3,750	
Undertake Greenbook EA Settlement Regeneration Programme	2,507	
Due Diligence Report on North and West housing Ltd	5,623	
12 Green book economic appraisals	61,922	
12 Green book economic appraisals	53,820	
12 Green book economic appraisals	63,705	
12 Green book economic appraisals	41,193	
10 Green book economic appraisals	67,850	
Commercial appraisal assignment of a company in the property/aircraft maintenance sector Enniskillen airport	5,520	
EA Annex B Conflict Transformation from the bottom up(original 75/07)1st annex b=08/09	1,762	

Name of Report or Review	Cost £	Cost €
12 Green book economic appraisals	61,922	
Consultant to carry out the work and activities of working group one of the Peace Network	25,500	
EA Annex B HAATCH/Enniskillen airport and the Innovative Enterprise Programme	2,555	
	<b>Total €</b>	<b>1,040,280</b>

Table 3: External Reports and Reviews Conducted by SEUPB in 2010

Name of Report or Review	Cost £	Cost €
Review of the proceeds of the sale of Castlesaunderson lands by scout foundation-jamboree centre project	587	
Preparation of proposal for the member states on the application of flat rate costs calculated by standard scales of unit cost to health sector project	9,790	
In depth analysis of Major Grant Project, Project Kelvin, to address queries from European Court of Auditors.	6,345	
Evaluation of PEACE III, Priority 1.1 Project Positive relations	10,141	
12 Economic Appraisals	54,990.	
12 Economic Appraisals	56,400	
12 Economic Appraisals	54,919	
12 Economic Appraisals	45,825	
12 Economic Appraisals	57,208	
To undertake a review of Theme 1.2 of the PEACE III Programme	19,385	
EA Annex B EBR Action for Bio Diversity	1,329	
EA Annex B NWR Spatial Planning	4,698	
EA Annex B EBR Energy and training and monitoring	1,117	
EA Annex B NWR Urban and Rural Village renewal	835	
EA Annex B NEP Causeway Connections	1,469	
EA Annex B NEP Gobbins and Sliabh Liag	2,291	
EA Annex B ICBAN Angling Project	1,469	
EA Annex B ICBAN Eco Tourism Project	1,469	
EA Annex B HATTCH, Enniskillen Airport. ICBAN's enterprise application	4,821	
To undertake a review of the impact of the activities under each local action plan Theme 1.1 PEACE	19,385	
Addendum to EA Castlesaunderson all Ireland scouting jamboree project	1,762	
Addendum to EA of Orange Community Network	1,410	
Development and design of SEUPB intranet system	12,480	
Forensic Audit of a lead Partner- suspected fraud	32,900	
Report to ascertain the impact of the removal of project partner from the Irish Peace Centres project	4,641	
Perception and awareness survey	11,039	
EA on Two sub-projects within the Lough Agency Marine Tourism and Angling Development Projects	2,876	

[Deputy Michael Noonan.]

Name of Report or Review	Cost £	Cost €
Attitudinal Survey within the PEACE III Programme	41,019	
Addendum to economic appraisal for Women into Public Life.	1,243	
The Rural Enabler	4,700	
	Total €	515,402

*Anglo Irish Bank*

Consultancy charges outside the normal course of business in 2009 and 2010 (cash out basis and to Sept 2010) were as follows:

Name of the Report or Review commissioned	€m
Restructuring Plans	18.8
Nama related charges	16.7
Legacy issues	9.3
Liability Management exercise	7.4
Redundancy & HR	1.5
ELG Scheme	0.1
CIFs Scheme	0.2
Nationalisation	1.6
Other*	1.5

\*other includes special items primarily consists of consultants hired to assist with the restructuring plans and NAMA related valuation costs.

*Central Bank of Ireland*

In addition to the reports listed above a number of reports or reviews were carried out by external parties on behalf of the central bank of Ireland (including the Financial Regulator for pre — October 2010) in the period 2008 to date in 2010. Details of the reports are included in the following tables:

2008

Name of Report or Review	Total Cost
Financial Capability Study consultancy for 2008/09	
Financial Capability Study consultancy for 2008/09	
Loanbook analysis and assessment review	
Review of trading controls	
Consumer tracking research	
Report on calculating a consumer rebate	
Review of the Life Assurance Disclosure Regulations	
Consumer Research for Review of the Intermediary Market	
Total costs for 2008	€4,295 115

## 2009

Name of Report or Review	Total Cost
Review of Business Processes	
Review of Directors Loans	
Review of Banking System pre NAMA (at request of Department of Finance)	
Total Costs 2009	€778,724

## 2010

Name of Report or Review	Total Cost
Strategic Review of the Credit Union Sector in Ireland (requested by the Minister for Finance)	
Organisational effectiveness of financial sector regulators/Supervisors	
Due Diligence Report (at request of Department of Finance)	
Review of NAMA Asset Valuation Methodology	
Total Costs to date 2010	€2,031,423

In addition the consultative consumer and industry panels commissioned reports in 2008 to date in 2010. the reports cost €114,836 in 2008, €4,860 in 2009 and €4,599 in 2010.

*Consultancy Reports — Valuation Office 1997 — January 2011*

2000 — 2001

Deloitte Touche

Methodology for implementation of the Valuation Act 2001

161,000.00

Recommendations were implemented following receipt of the report and were reviewed in 2008 on completion of one complete Revaluation area.

2001 — 2002

Cap Gemini

Financial System Tender Evaluation and Selection Support

67,500.00

The recommendation was accepted and implemented.

2004

Price Waterhouse Coopers

Expenditure Review of the Valuation Office

20,010.00

The recommendations in this report were, where practicable, implemented

[Deputy Michael Noonan.]

2005

Epsilon Consulting

Review of Internal Financial Controls and Procedures

14,000.00

The operations manual on Internal Financial controls and procedures was rewritten following receipt of the report.

2008

David Rainey

Rainey Report on Revaluation

13,853.24

All practicable recommendations in this report have been implemented, including the setting up this year of a central market analysis Unit to assist the National Revaluation project.

2009

Occupational Health and Safety Services

Review of Safety Statement and audit of safety management system

1,176.12

All recommendations on Safety Management Systems, Improvements in Preventative arrangements and the formulation of the Office Safety Statement were implemented.

Year	Company	Unit	Purpose/Report	Cost
2001	Price Waterhouse Coopers	Cen PPP Unit	Review of existing PPP structures in the Irish public sector.	114,276
2003	Adam Smith Consortium (incl. PWC)	Cen PPP Unit	Research on pensions issues in PPPs.	12,100
2003	Deloitte and Touche	Cen PPP Unit	Research on Public Sector Benchmark and Value for Money Comparison.	143,990
2004	IPA	Cen PPP Unit (NDP Information Office)	Report on Cohesion Fund	14,250
2003	IPA	Cen PPP Unit (NDP Information Office)	Compilation of Publications on Cohesion Fund	14,250
2006	ESRI	Cen PPP Unit (NDP Information Office)	Ex-Ante Evaluation of Investment Priorities for the NDP (2007-2013)	356,941.60
2008	Baseline	Cen PPP Unit (NDP Information Office)	NDP Identity Guidelines	12,881

2008

Review Body on Higher Remuneration in the Public Sector (Report No 43) — €190,561

Job evaluation of posts in the public sector for the Review Body on Higher Remuneration in the Public Sector — €114,000

2009

Parallell Benchmarking Pensions Review — €32,805

Review Body on Higher Remuneration in the Public Sector (Report No 44) — €268,959

Aine Griffin/Marie Ralph:

Year	Consultant	Purpose	Payments	Area	Additional
2005	Hay Management Group	204420 Review body on Higher Renueration in the Public Sector	14,000	Department of Finance	Amount contract for = €7,000 however €14,000 spent. €7,000 spent in year 2005

Eamann Phelan:

Maurice O’Connell, former Governor of the Central Bank and Financial Services Regulatory Authority, was asked to address, in October 2008, in the context of a review of the National Pensions Reserve Fund (NPRF), the following questions:

- Whether existing arrangements for automatic payment into the NPRF should be modified, and
- Whether the Minister for Finance, on behalf of Government, should be empowered to direct or influence the strategic investment policy of the Fund.

Mr O’Connell’s conclusions were:

1. The performance of the NPRF since its establishment has been professional. In recent times it has suffered poor returns in exceptionally volatile conditions. This has been the experience generally of comparable investment institutions.

2. Where the national interest is concerned, it is appropriate that the Minister for Finance should be in a position to give directions on investment policy to the NPRF Commission, notwithstanding the requirement on the NPRF to secure the optimal financial return. This will require enabling legislation.

3. A top financial priority at this time is to contain the State’s borrowing requirement which has exceeded earlier expectations by a wide margin. In this climate there is a case for suspending or adjusting payments to the Fund, especially as the cost of borrowing may well be higher than the Fund is likely to earn on its investments in the short term.

4. Any decision should also take account of the need to preserve the Fund, to the maximum extent possible, and the potential reactions from prospective international investors and credit rating agencies.

[Deputy Michael Noonan.]

5. The options in relation to contributions to the Fund are to continue with existing arrangements or to adjust downwards or suspend payment in full on a temporary basis (preferably for the calendar year 2009 only). Valid arguments can be put forward in support of each option and the issues are finely balanced.

6. In view of the conflicting priorities and uncertainties that lie ahead, the more prudent approach at this time is to take a longer term perspective and maintain a contribution to the Fund, even at a lower level than is now required. Any change in existing arrangements will require enabling legislation.

7. The scope for non-cash payments, such as shareholdings, in making contributions to the Fund, should be explored further. In this context, it is for consideration also whether the legal prohibition on the Fund taking control or large stakes in individual companies should be amended.

8. The NPRF Commission should redouble their efforts at this time to find suitable investment opportunities in Ireland given the new economic realities.

*Implementation of recommendations:*

Not directly resulting from Mr O’Connell’s report, under legislation enacted in 2009 and 2010, the Minister for Finance has power to direct the NPRF Commission to —

- invest in credit institutions (used to recapitalise AIB and BoI)
- buy Irish Government bonds
- provide cash to the Exchequer for capital expenditure until 2013
- ensure that it has cash or liquid assets available in the event of a direction.

In addition, the Minister for Finance has power, until 2013, to suspend or reduce the statutory annual Exchequer contribution of 1% of GNP to the Fund.

In relation to the investment of the Fund, the NPRF Commission has in the Fund’s Discretionary Portfolio increased its commitment to Irish assets within the framework of its commercial investment mandate, including to Innovation Fund Ireland, water metering and infrastructure.

*Cost of consultancy:*

*Nil.*

### **Tax Code**

149. **Deputy Barry Cowen** asked the Minister for Finance his views on the statement (details supplied) that a household charge has to reflect a person’s ability to pay; the way he plans to calculate such a levy; and if he will make a statement on the matter. [22616/11]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the EU/IMF Programme of Financial Support for Ireland under its fiscal consolidation measures commits to the introduction of a property tax for 2012 and to an increase in the property tax for 2013. Decisions have yet to be taken on the precise legal mechanism to be used to introduce a property tax; what form that tax will take; the extent of the tax and any exemptions or waivers therefrom;



and whether it will be introduced in tax legislation such as the Finance Bill or through other legislation which may fall within the ambit of the Department of the Environment, Community and Local Government.

*Question No. 150 answered with Question No. 141.*

### **Financial Services Regulation**

151. **Deputy Peadar Tóibín** asked the Minister for Finance if he will provide for safe regulations and incentives for the financial services industry here; the amount that these provisions will cost; the way they will prevent firms that set up domiciles here from being a potential cost to the Exchequer in future; and if the plans will allow for other centres of financial services development outside of the IFSC. [21145/11]

153. **Deputy Peadar Tóibín** asked the Minister for Finance the action that he has taken to establish a task force on the future of the financial service sector; if so, the persons that will be part of this task force; if not, when he will establish this task force; and the persons he sees playing the role on this task force. [21150/11]

**Minister for Finance (Deputy Michael Noonan):** I propose to take Questions Nos. 151 and 153 together.

More than 32,000 people are directly employed in international financial services, in over 500 firms. Substantial indirect employment is also generated, and the sector contributes €2.1bn in corporate and payroll taxes to the Exchequer. Accounting for 10% of multi-national employment, international financial services represents an estimated 7.4% of GDP, and 5% of EU international financial services activity is carried out from Ireland.

The fundamental goal of public policy in relation to the IFSC is to develop the international financial services industry in Ireland, built upon sustainable, responsible and internationally respected foundations, to maximise not only the number of jobs, but also the quality of employment and the future sustainability and growth prospects of the industry. The Government believes that it is necessary to continue to adopt, articulate and implement a clear vision for the development of the IFSC to demonstrate Ireland's commitment to the promotion and growth of its international financial services industry.

As part of this, the Deputy will be aware that last week, An Taoiseach, Enda Kenny T.D., announced a new IFSC Strategy for the future of the international financial services industry in Ireland over the next 5 years. The Strategy, which will be implemented by the Clearing House Group of the Department of the Taoiseach, sets out the key drivers to support the achievement of the overall objective of 10,000 net new jobs. The foundations are a tax framework which is competitive and internationally respected and a regulatory regime which supports responsible business operations and ensures effective oversight and control. The Strategy recognises and fully supports the critical importance of a credible, responsible and proportionate regulatory system whose own capacity and reputation provides, in itself, a source of competitive advantage for this jurisdiction, attracting reputable, responsible and sustainable financial services activity.

As Minister for Finance, I welcome the IFSC Strategy and consider that it represents a comprehensive approach to maintaining and developing the international financial services sector in Ireland. In this context, I do not have any immediate plans to establish a separate task force on the future of the financial service sector. I will, however, keep the situation under review.

[Deputy Michael Noonan.]

With regard to the provision for safe regulations and incentives for the financial services industry here, the Strategy recognises that it is essential to develop tax and regulatory structures within the parameters of EU and other international requirements. While the Strategy sets out a commitment to the development of the IFSC and a direction for policy development, any relevant implementing measures will be considered through the appropriate legislative or other processes, including, inter alia, consideration of relevant EU law implications, in particular around state aid rules. The Deputy will note that a comprehensive programme of regulatory reform in the financial sector is already underway at domestic, international and EU levels which will have significant implications for the regulation of the different IFSC sectors. My Department is engaging actively in this regulatory reform agenda in relevant international fora and it is a key objective of my Department to transpose all EU legislation in good time to ensure that both the Central Bank and industry are well placed to implement new regulatory requirements.

In addition to international regulatory reform, the Deputy will also be aware that domestic legislative changes have been introduced to merge the Central Bank and Financial Regulator and to enhance the powers of the unified organisation. Further enhancements to the Central Bank's powers will be introduced to the Oireachtas shortly in the Central Bank (Supervision and Enforcement) Bill. In addition, the Central Bank is engaged in a significant programme to increase its staff numbers and to enhance its supervisory capacities.

### **Credit Availability**

152. **Deputy Peadar Tóibín** asked the Minister for Finance the steps he will take to force the banking industry to provide fixed rate loans that are not excessively inflated with large banking premiums. [21144/11]

**Minister for Finance (Deputy Michael Noonan):** The Deputy will appreciate that I cannot do much to prevent the banking industry, which operates on a commercial basis and must compete for funding, from increasing the interest rates. However, as I have already stated in this House, the banks are engaging in cost cutting plans which are already underway. These cost reductions which will improve operating margins and permit the banks to better absorb any future raises in funding costs and I would expect this to be reflected in their interest rates.

*Question No. 153 answered with Question No. 151.*

### **Departmental Agencies**

154. **Deputy Mary Lou McDonald** asked the Minister for Finance the money saved if all State agency board member payments in his Department were reduced by €10,000 where their current annual payments are in excess of €50,000. [22738/11]

**Minister for Finance (Deputy Michael Noonan):** I am not aware of any instance in which the annual fee payable to a State agency board member exceeds €50,000.

### **Special Educational Needs**

155. **Deputy Finian McGrath** asked the Minister for Education and Skills the amount of money that will be saved by cutting the services of special needs assistants. [21931/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to inform the Deputy that there will be more Special Needs Assistant (SNA) posts this year than there were last year. There is therefore no estimated budget saving. 10,575 whole time equivalent (WTE) posts are being provided for SNA support for the coming school year. This is a significant number of

posts and unlike other areas of the public sector vacancies are being filled up to this number. It is considered that with equitable and careful management and distribution of these resources that there should be sufficient posts to provide access to SNA support for all children who require such care support to attend school, in accordance with Departmental criteria.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and SNAs to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of SNA support to eligible schools.

The NCSE asked schools to submit all applications for SNA support to them by 18th March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year.

In order to manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases; new entrants with special needs; or new assessments or injuries acquired during the school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism.

It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

### **European Globalisation Adjustment Fund**

156. **Deputy Joanna Tuffy** asked the Minister for Education and Skills if he plans to examine proposals issued by the European Commission on the 10 June 2011 to continue the European Globalisation Adjustment Fund, EGAF, until the end of 2013 (details attached) and on the 29 June 2011 it issued further proposals for EU spending between 2014 to 2020; if so, in view of the fact that the current EGAF regulation limits spending to the two years from the date of application as opposed to the date of approval, he will consider these current regulations during this process; and if he will make a statement on the matter. [22095/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The European Commission has issued proposals to extend the temporary crisis-related derogation that allows the European Globalisation Adjustment Fund (EGF) to be used for workers made redundant as a result of the current financial and economic crisis in addition to those losing their job under the normal qualifying scenario, namely changes in global trade patterns. This derogation is currently due to expire on 30 December 2011. The Commission's proposal would extend it until 31 December 2013, which is also the end of the current implementation period provided for under EGF Regulation (EC) No. 1927/2006.

Ireland is supportive of the extension of the global financial and economic crisis derogation as it will allow for an increased number of scenarios which could trigger further applications for EGF support.

Generally, the implementation period for delivery of services to EGF eligible persons commences with the date of submission of the EGF application by the EU Member State. Regu-

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lation (EC) No. 546/2009 amending Regulation (EC) No. 1927/2006 provides for an implementation period of 24 months and also allows in certain cases for this period to commence 3 months after the date of submission of the EGF application. This provision is not up for review at this time. I do, however, understand that a review of the EGF with a possible proposal to continue it beyond 2013 is to begin in the near future. I can assure you that Ireland will participate actively in that review process and will seek to introduce whatever measures that will improve the operation of the EGF in practice.

### Computerisation Programme

157. **Deputy Thomas P. Broughan** asked the Minister for Education and Skills the number of primary and post-primary schools that are broadband enabled; the percentage of primary and post-primary schools that are not broadband enabled; and if he will make a statement on the matter. [22180/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There are 739 post primary and 3336 primary schools connected to the Schools broadband network. In addition to this there are 78 post primary schools on the 100mb piloy project and 9 primary schools on the Hermes project.

4% of post primary and 3% of primary schools are not connected to the schools broadband network. I understand that many of the schools who have declined a connection from the Department have made their own internet connection arrangements. There is no obligation on schools to avail of a connection provided by the Department and schools are free to source their broadband from the market should they so chose. All of these schools are also free to avail of a connection provided by the Department anytime in the future.

However I would encourage schools to avail of an internet service under the Schools Broadband Programme, as under the Programme connectivity to the internet is routed through a National Broadband Network, which has been developed by HEAnet — the National Education and Research Network provider. HEAnet has established a Network Operations Centre to channel and control the broadband access to schools, and it provides centrally managed services for schools such as security, anti-spam/anti-virus and content filtering. Access to resources such as on-line versions of Britannica and World Book are also only available through the Schools Broadband Network.

### School Curriculum

158. **Deputy John Lyons** asked the Minister for Education and Skills in view of the recent disclosure about the usage by youths of synthetic drugs deriving from online delivery services; his plans to revise the outdated drugs awareness programmes in schools to reflect changing attitudes and culture; and if he will make a statement on the matter. [22403/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There is a commitment in the Programme for a National Government, 2011-2016, to “update the out-dated drugs awareness programmes in schools to reflect current attitudes and reality of recreational drug use amongst teens”.

To meet this commitment, I have established a Working Group to examine the resource materials being used in the SPHE curriculum, especially those materials that are most relevant to substance use education. The Group has representatives from both the Department of Health and the Department of Children and Youth Affairs as well as from my own Department.

I am expecting the Group to complete a report for me by the end of 2011.

### Employment Support Services

159. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Education and Skills the estimated number of places on the Springboard scheme available in Counties Cavan and Monaghan. [22458/11]

**Deputy Ruairí Quinn:** Springboard provides 6,000 funded part time higher education places for the unemployed in public and private institutions throughout Ireland. The evaluation panel selecting the programmes used rigorous criteria of quality, industry and skills needs relevance, value for money as well as the need for a good geographical spread. While there are no institutions based in Cavan and Monaghan, delivering Springboard programmes there are a large number of places available in neighbouring counties including Sligo IT (241 places); Dundalk IT (179) and in IT Blanchardstown (305).

In addition many Springboard courses are delivered on-line enabling people to access them regardless of where they reside. These include:

- 150 places with the Open University and 70 places with Oscail
- All 12 courses in IT Sligo (241 places) have a significant online/virtual learning element, attendance will be 2 days per semester with the remaining teaching being delivered online
- 115 of all courses include an element of online or distance learning.

Full details regarding all Springboard courses including course delivery methods can be found on [www.bluebrick.ie](http://www.bluebrick.ie).

160. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of the 60,000 apprenticeships, work placement, education opportunities and internship places promised in the programme for Government that have been accessed for young unemployed persons. [21153/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** The Jobs Initiative contains details of over 20,000 additional training, education and work experience places for the unemployed. The majority of the places (15,900) will be delivered through the Department of Education and Skills through the following programmes. 6,000 places on FÁS Specific Skills Training Courses (FÁS) 3,000 places on the Back to Education Initiative (FE) 1,000 places on Post Leaving Certificate Courses (FE) 5,900 places on the Springboard Initiative (HE). 5,000 places will be made available through the National Internship Programme (JobBridge) which is being managed by the Department of Social Protection. Plans for activating the additional 6,000 Specific Skills Training places allocated to FÁS are at an advanced stage however no trainees have yet commenced participation under this provision.

5,000 of the places will be in short, evening and blended Specific Skills training courses delivered by FÁS within existing resources.

€3.5 million will be provided for 1,000 places in longer FÁS Specific Skills Training courses. Exact delivery mechanisms of these 1,000 places have now been identified and scheduling has commenced.

It is anticipated that each of these additional places will have been activated by the end of 2011.

In relation to the additional 3,000 Back to Education Initiative (BTEI) and 1,000 Further Education Post Leaving Certificate (PLC) places which are to be prioritised for the unemployed, these additional places have been allocated and will be available from September.

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5,900 additional places for higher education and training opportunities for the unemployed have been allocated under Springboard. Applications for all of the Springboard programmes opened on 25 May 2011 and institutions are still processing applications for courses, the majority of which will begin in September 2011. Comprehensive information on all of the programmes the application process can be accessed through the Bluebrick.ie website.

The National Internship Scheme (JobBridge), launched on 29 June, 2011, will provide up to 5,000 unemployed people with an internship opportunity ranging from 6 to 9 months in an organisation in the private, public or community and voluntary sectors.

It is three weeks since the launch and there are already over 700 opportunities available on the JobBridge website (offering just over 1,000 placements). 65 Interns have been selected of which 27 have currently been verified by the Department of Social Welfare and of these 8 have commenced their internship.

The Government will continue to explore new and existing programme to provide additional training, education and work experience places for the unemployed including young unemployed persons.

### **Irish Language**

161. **Deputy Brendan Griffin** asked the Minister for Education and Skills if the students attending a school (details supplied) in County Kerry will have the same language supports as those children attending post-primary schools in all the Munster Gaeltachtaí, in view of fact that the Aonad Lán Gaeilge at the school is the only all Irish post-primary provision available to the Gaeltacht students in the Iveragh Gaeltacht, despite the school being outside the Gaeltacht boundary; and if he will make a statement on the matter. [21530/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The students attending the Aonad Lán Gaeilge in the school referred to by the Deputy receive the same language supports as those children attending post primary schools in Gaeltacht areas.

### **An Teanga Gaeilge**

162. **D'fhiafraigh Seán Ó Fearghail** den Aire Oideachais agus Scileanna an bhfuil plean aige faoi na hábhair múinteoirí a bhíonn ag freastal ar chúrsaí sa Ghaeltacht; agus an ndéanfaidh sé ráiteas ina thaobh. [21806/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Mar is eol duit, tá an rochtain ar ghairm na múinteoireachta i scoileanna aitheanta na hÉireann rialáilte. Is í an Chomhairle Mhúinteoireachta an tÚdarás sainithe atá inniúil an ghairm a rialáil agus caighdeáin a leagan síos d'oideachas múinteoirí. Tar éis phróisis fhada comhairlithe, d'fhoilsigh an Chomhairle le déanaí Policy on the Continuum of Teacher Education ó oideachas tosaigh múinteora go dtí Forbairt Leanúnach Ghairmiúil. Feictear don Chomhairle go bhfuil tábhacht eochrach ag baint le comhtháthú na n-eilimintíeagsúla d'oideachas múinteora.

Áiríonn an Straitéis 20 Bliain don Ghaeilge 2010-2030 líon áirithe bearta a bhaineann le oideachas múinteoirí, ina measc clár sainithe múinteoireachta teanga a thabhairt isteach, agus fadú ar an am teagaisc agus freastal ar chúrsaí Gaeltachta d'ábhair mhúinteora.

Bunaíodh meitheal oibre le déanaí faoi choimirce na Roinne Gnóthaí Pobail, Comhionannais agus Gaeltachta chun na céimeanna is gá chun an straitéis a chur i bhfeidhm thar an tréimhse 20 bliain a fháil amach agus a chomhaontú. Caithfear infhaighteacht na n-acmhainní a chur san áireamh sa phróiseas feidhmithe chomh maith.

Tá an Rialtas seo tiomanta do thacaíocht a thabhairt d'éirim na Straitéise 20 Bliain don Ghaeilge 2010-2030 trí chéile agus cuirfidh sé i gcrích na haidhmeanna agus na spriocanna atá beartaithe áit gur féidir iad a bhaint amach.

### Psychological Services

163. **Deputy Noel Harrington** asked the Minister for Education and Skills if he will ensure that a person (details supplied) in Bantry, County Cork who is transferring schools following the amalgamation of two schools will continue to receive the recommended resource hours and other aids proposed by the Health Service Executive and the National Educational Psychological Service; and if he will make a statement on the matter. [21864/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

In considering applications for teaching and SNA supports for individual pupils, the Special Educational Needs Organisers (SENOs) take account of the pupils' needs and consider the resources available to the school overall to identify whether additionality is needed or whether the school might reasonably be expected to meet the needs of the pupils from its existing level of resources.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of SNA support to eligible schools.

The NCSE asked schools to submit all applications for SNA support to them by 18th March, 2011 and are currently in the process of informing schools of their annual SNA allocation for the coming school year.

In relation to the allocation of Resource Teaching hours, an allocation of 90% of valid identified resource teaching allocations has been made by the NCSE to schools for the coming school year, in the first instance, to provide schools with the majority of their allocation, while also preserving enough capacity to deal with late applications and ensure that the Department of Education and Skills can remain within Employment Control Framework obligations.

Schools have been asked to forward as soon as possible any outstanding applications, or additional outstanding materials to support incomplete applications, to the NCSE for consideration, but in any event by no later than 16th September 2011.

### Skill Shortages

164. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the steps being taken to develop skills and training to meet the needs of the IT sector. [21891/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There are a wide range of full and part time undergraduate and post graduate programmes available within the higher education system for students who wish to pursue careers in the IT industry and for professionals who wish to develop their skills. The Expert Group on Future Skills Needs plays a key role in advising on the future skills needs of enterprise. Its reports are disseminated to education and training providers and provide a valuable input to the development of curricula in education and training provision. EGFSN research and industry engagement also informed the development and selection of part-time higher education programmes for unemployed people being

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funded through Springboard. Under this initiative 2,000 places are available for unemployed people on programmes from certificate to masters degree level in areas relevant to the skills needs of the IT. My Department and the HEA, in collaboration with the Secretariat to the EGFSN are also working closely with ICT industry to develop further responses to specific high level skills needs that have been identified by the sector. A wide range of education and training programmes relevant to the IT sector are also provided by Further Education institutions and through FÁS and Skillnets.

### **Departmental Properties**

165. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the numbers and locations, of buildings his Department leases that are in upwardly only rent contracts and the amounts that these rents have been for 2008, 2009, 2010 and the expected rents for 2011. [21892/11]

166. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the numbers and locations, of buildings his Department leases that are in upwardly only rent contracts and the amounts that these rents have been for 2008, 2009, 2010 and the expected rents for 2011. [21893/11]

172. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the numbers and locations, of his Department's buildings that are current in an upwardly only rent review contract; the cost of rents for 2008, 2009, 2010 and the expected rents for 2011. [21909/11]

173. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the numbers and locations of buildings his Department leases that are in upwardly only rent contracts; the amount of rent for 2008, 2009, 2010 and the expected rent for 2011. [21910/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions 165, 166, 172 and 173 together.

The provision of buildings and accommodation for the Department of Education and Skills, and the management of associated leases, is a matter for the Office of Public Works.

In relation to schools, my Department generally grant aids school authorities who use the funds to rent temporary school accommodation. The terms of the leases are a matter for individual boards of management.

### **Schools Building Projects**

167. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of school building projects planned to enter the architectural and planning stages for each of the next four years. [21904/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Based on my Department's most recent statistics, it is expected that enrolments will increase nationally from a current enrolment at primary level of circa 509,652 pupils to circa 552,800 pupils by 2017 and at post-primary level from a current enrolment of circa 317,432 pupils to circa 342,300 pupils by 2017. My Department is currently examining all areas of the country to determine where additional provision will be required at both primary and post-primary level up to 2017. This analysis will inform the development of a multi-annual plan for capital investment in schools.

It is within this context that I recently announced that up to 40 new schools are to be established within the next six years, comprising of twenty new primary schools and twenty new post-primary schools. Of the 40 new schools, 17 will be in the Dublin area with a further



twelve in the commuter belt of Wicklow, Kildare, Meath and Louth. Six new schools will be established in Cork, three in Galway and one each in Wexford and Cavan. In addition, it will be necessary to extend the capacity of many existing schools to meet the demand for increased pupil places.

The Deputy will be aware that in January 2011, the Minister made an announcement regarding projects to enter architectural planning and to proceed to tender and construction. The announcement provided details of the major projects which make up the School Building Work Programme for 2011. The listings which accompanied the announcement provided an overview of the programme as announced and also details in relation to the current status of each project on the programme. The details in relation to the current status of the projects are updated on a regular basis as projects progress through the stages of architectural planning, tender and construction on my Department's website. The current status of all projects on the school building programme may be viewed on my Department's website at [www.education.ie](http://www.education.ie) and this will be updated regularly throughout the year.

168. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of schools currently at stage three tender stage; the number of these that will begin construction in the next three months; and the timetable for beginning construction on the remaining schools in stage three. [21905/11]

169. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of schools in the design stage; and the timetable for schools in the design stage to move into the construction stage. [21906/11]

170. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the number of school building projects in each stage of development from planning through to construction. [21907/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 168 to 170 inclusive together.

Information, including the current status of all projects on the 2011 School Buildings Works Programme, is available on my Departments website. The current status of projects on the programme is updated on a monthly basis as projects progress from one stage to the next. The website also provides information on all projects in architectural planning which are not currently on the 2011 School Buildings Works Programme and also those projects announced in January of this year to complete brief formulations and to progress into architectural planning.

In general, where no unforeseen issues arise, the tender phase on a major project takes 5-6 months to complete from the point of approval to issue the invitation to tender to the point of appointment of a building contractor. Information on the web-site in relation to those projects which complete tender stage is updated on a monthly basis.

### **Education Schemes**

171. **Deputy Peadar Tóibín** asked the Minister for Education and Skills the progress made on implementation of the Investing Effectively in Information and Communications Technology in Schools 2008 to 2013 report. [21908/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Strategy Group Report, Investing Effectively in ICT in Schools, 2008-2013, proposes a comprehensive agenda for pursuing the integration of ICT into teaching and learning in our schools and provides an essential strategic framework which has been invaluable to my Department in enhancing and refining the ICT in Schools Programme. As the Deputy may be aware, following publication of the

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Strategy Group Report, a Joint Advisory Group was commissioned to advise on specific priorities for investment in this context, and published its report (“Smart Schools = Smart Economy”) in November 2009, with a particular focus on investment priorities over the period 2010-2012.

My Department has actively pursued key recommendations made in these reports within available resources. While it would not be practical to outline every individual action taken in this response, I would draw the Deputy’s attention in particular to the distribution of some €92m in ICT Infrastructure Grant funding across primary and post-primary schools since November 2009. This new scheme prioritises the equipping of all classrooms with digital projectors, teaching computers, wireless mice and wireless keyboards, with schools free to spend remaining grant funding on other ICT hardware and software purchases in line with local needs. Central national “Framework” contracts have been made available to schools to assist them in getting better value for money in their ICT procurements and to provide them with the benefit of three-year next-business-day on site warranties as standard. A national programme of “elearning” seminars has also been made available to all primary and post-primary principals, to assist them in planning for the integration of ICT into teaching and learning practice and in making best use of the recent infrastructural investment. As the Deputy will appreciate, my Department is not currently in a position to commit additional resources to ICT capital investment having regard to other priorities. I am fully aware of the importance of integrating ICT into teaching and learning and remain committed to investing in this area as resources permit.

*Questions Nos. 172 and 173 answered with Question No. 165.*

### **Adult Education**

174. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will support the case of a person (details supplied) in Dublin 3. [21933/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I have no role in the case in question. Matters in this area should be dealt with in accordance with FETAC’s published guidelines. The guidelines are available on the FETAC website, [www.fetac.ie](http://www.fetac.ie).

### **Departmental Funding**

175. **Deputy Paudie Coffey** asked the Minister for Education and Skills the proposals he has to provide funding for the further development of e-learning in schools and the provision of high quality broadband connectivity in schools, in view of the fact that the Department Communications, Energy and Natural Resources has made a provision of €10 million in its 2011 Estimates to develop high speed broadband infrastructure for schools; his plans to develop a cross-departmental strategy to enhance and support this initiative; and if he will make a statement on the matter. [21957/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** No decision has been made in relation to the next phase of providing 100Mbps to schools. Any decision to extend the programme will be made having regard to the current budgetary constraints and other priorities of my Department. A pedagogical review of the pilot project is currently being prepared, the outcome of which will also inform future plans in this area.

### **Schools Building Programme**

176. **Deputy Frank Feighan** asked the Minister for Education and Skills the progress that has been achieved in the building and completion of a school (details supplied) in County Leitrim; and if he will make a statement on the matter. [21959/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The new school to be provided in Co Leitrim, referred to by the Deputy, is one of eight schools which were approved for inclusion in the 3rd Bundle of schools to be procured via Public Private Partnership. This Bundle was handed over to the National Development Finance Agency (NDFA) in July 2010 to commence the tender procurement process.

This process is ongoing with tenders received this month. Subject to the successful completion of the procurement process, including securing the necessary Local Authority consents, it is anticipated that construction of the schools in this bundle will commence in the first quarter of 2012 and the accommodation is expected to be ready for occupation in September 2013.

### School Accommodation

177. **Deputy Finian McGrath** asked the Minister for Education and Skills if he will reconsider his decision to close a school (details supplied) in Donaghmede, Dublin 13 on 29 July 2011. [21967/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Deputy's question refers to a proposal for an academy for children with autism which was submitted to my Department for consideration by Achieve ABA. The Deputy will be aware that my Department had no direct funding arrangements with the group in question.

Consideration of this proposal took account of my Department's policy in this regard, which is focused on ensuring that all children, including those with autism, can have access to an education appropriate to their needs, preferably in school settings through the primary and post primary school network. This facilitates access to individualised education programmes, fully qualified professional teachers who may draw from a range of autism-specific interventions, including ABA, special needs assistants, and the appropriate school curriculum with the option where possible of full/partial integration and interaction with other pupils. As each child with autism is unique it is important that children have access to a range of interventions so their broader needs can be met.

My Department's policy is to provide for children with special educational needs, including autism, to be included in mainstream schools unless such a placement would not be in their best interests or the interests of the children with whom they are to be educated. Some children may be supported in a special class attached to a mainstream school. These students have the option, where appropriate, of full/partial integration and interaction with other pupils. Other children may have such complex needs that they are best placed in a special school. Students with special educational needs have access to a range of support services including additional teaching and/or care supports. In special schools and special classes, students are supported through lower pupil teacher ratios. Special needs assistants may also be recruited specifically where pupils with disabilities and significant care needs are enrolled.

### National Lottery Funding

178. **Deputy Paudie Coffey** asked the Minister for Education and Skills the amount of National Lottery funding that his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form. [21974/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The details of National Lottery Funding disbursed by my Department in 2009 and 2010 is provided in tabular form in the following spreadsheet.

The Revised Estimates Volume (REV) published by the Department of Finance provides summary details of programmes part-financed by the National Lottery and disbursed by relevant Government Departments and Offices. The REV provides these details at Vote subhead

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level and identifies the aggregate amount of National Lottery funding towards the programmes in question, together with the amount of Exchequer funding. For example the 2011 REV indicates that total funding of €410.685 million in 2010 was financed by €250 million from the National Lottery and the remaining €160.685 was funded by the Exchequer (ref REV Appendix 1, page 235).

2010 & 2009 National Lottery Funding from Vote 26 — Education & Skills

6.1 National Lottery Funding

Under subheads B.1 and B.14, a total of €1.06 million was grant aided in 2010 and €1.148m in 2009 to support adult education and cultural activities. The subheads in Vote 26 from which the funding was paid are noted below.

Recipients of Funding from National Lottery

Name of Recipients	2010	2009
	€000	€000
Expenses of Adult Education Organisations (Subhead B.1.)	864	941
Cultural Activities (Subhead B.14.)	196	207
<b>Total</b>	<b>1,060</b>	<b>1,148</b>

Recipients of Grants from Subhead B.1 — Adult Education Organisations

Name of Recipients	Sum received	
	2010	2009
Aontas	440,000.00	477,000.00
National Adult Literacy Agency	302,000.00	333,000.00
Peoples College	99,000.00	108,000.00
Irish Countrywomen's Association	23,000.00	23,000.00
<b>Total</b>	<b>864,000.00</b>	<b>941,000.00</b>

Recipients of Grants from Subhead B.14 — Cultural Activities

Name of Recipients	Sum received	
	2010	2009
Foras Éireann	11,000.00	11,400.00
National Youth Orchestra of Ireland	108,000.00	114,000.00
Feis Maitiu	38,500.00	41,000.00
Artane School of Music	38,500.00	41,000.00
<b>Total</b>	<b>196,000.00</b>	<b>207,400.00</b>

**Special Educational Needs**

179. **Deputy John McGuinness** asked the Minister for Education and Skills if he will review the decision to discontinue the services of the two special needs assistants at a school (details supplied) in County Kilkenny; if he will immediately reverse the decision in view of the fact

that the loss of both positions will cause difficulty for the students most in need of the services at the school; and if he will make a statement on the matter. [21984/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Firstly, I wish to clarify for the Deputy that Special Needs Assistant (SNA) allocations are not permanent, as the level of SNA support allocated to a school may be increased or decreased as pupils who qualify for SNA support enrol or leave a school. They are also decreased where a child's care needs may have diminished over time. I wish to clarify also that the recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts. The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools. The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year.

### School Patronage

180. **Deputy Brendan Smith** asked the Minister for Education and Skills the position regarding the work and timetable of the review of school patronage and diversity. [21994/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I announced my intention to establish a Forum on Patronage and Pluralism in the Primary Sector on 28th March, 2011. The Forum is a key objective of the Programme for a National Government 2011 — 2016. On 19th April, I officially launch the Forum and noted that the Advisory Group to oversee the work of the Forum would be chaired by Professor John Coolahan who would be assisted by Dr Caroline Hussey and Ms Fionnuala Kilfeather. At the launch, the Advisory Group sought written submissions on key themes. Over 200 submissions have been received. The Advisory Group will receive and distil the various views and perspectives, will engage in further consultation and will draw from research reports and relevant literature.

There was a three day open working session of the Forum on 22nd, 23rd and 24th June. This involved dialogue between the Advisory Group and thirteen main stakeholders plus the Department of Education and Skills. A recording of the three day session is available on my Department's website [www.education.ie](http://www.education.ie). It is planned to hold a plenary session of the Forum on 17th November where the interim considerations of the Advisory Group can be presented. Subsequent to this, the Advisory Group, which is independent of the Department of Education and Skills, will prepare a final report to be submitted to me by the end of the year.

### School Curriculum

181. **Deputy Brendan Smith** asked the Minister for Education and Skills the details of the likely impact in terms of subjects of his intention to reduce the number of junior certificate subjects. [21995/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As part of the National Literacy and Numeracy Strategy I announced plans to limit the number of subjects which can be taken in the Junior certificate examinations to a maximum of 8 to allow more time to be spent on the development of key skills such as literacy and numeracy, and to provide for greater depth of learning. While it is my intention to limit the number of examinable subjects a student will sit to eight, there will be no restriction on the number of subjects a student can study during the three years of the junior cycle.

Key objectives of the reform are to promote active learning and embed key skills, promote greater creativity and innovation, address curriculum overload and rote learning and strengthen literacy and numeracy. It is important too to put the focus on learning as opposed to examinations in what is no longer a high stakes environment. The purpose would not be to limit the range of subject choices in schools or the range of subjects available for examination purposes, but rather to make time and space for active learning, the development of key transferable skills and to reduce the focus on examinations at this stage of the cycle. Research undertaken by the ESRI on students as they transferred from primary level and progressed through the second level system indicates that junior cycle students were taking 10 to 15 subjects for examination purposes and were stressed, and that the examinations had a negative backwash effect on the quality of their learning. It is important that we address these issues.

### Literacy Levels

182. **Deputy Brendan Smith** asked the Minister for Education and Skills the research which he has commissioned on issues of literacy in schools and the wider community. [21996/11]

184. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has received any report on conflicting literacy measures for Irish pupils in international surveys; and if he will make a statement on the matter. [21998/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 182 and 184 together.

Irish 15-year old students have participated in two recent international studies of achievement levels in literacy and numeracy. These were the OECD Programme for International Student Assessment (PISA) 2009 which tested students' reading literacy, mathematical literacy and scientific literacy using traditional pencil-and-paper tests and the OECD PISA 2009 Digital Literacy Assessment which assessed students' ability to read computer-based text. Details of the performance of Irish students in these studies are available in "PISA 2009: The Performance and Progress of 15-year-olds in Ireland — Summary Report" and "Digital Reading Literacy in the OECD Programme for International Student Assessment (PISA 2009): Summary of Results for Ireland", both of which have been published by the Educational Research Centre, Drumcondra. The OECD PISA 2009 Digital Literacy Assessment showed that Irish students' ability to read computer-based text was significantly above the average of the 19 OECD countries that took the test. The above-average results of Irish students on the digital literacy tests contrasts with their average-level performance in the 2009 round of the traditional pencil-and-paper PISA literacy tests. These results suggest that the reading standards of Irish 15-year olds may be better than the results achieved on the traditional pencil-and-paper test in 2009 but not at the above-average levels scored by Irish students in 2000.

Three reports have been commissioned by my Department that examine in further detail the performance of Irish students in the PISA 2009 assessments. Two of these have been received and published: "Comparisons of Performance in Ireland PISA 2000 to PISA 2009: A Preliminary Report to the Department of Education and Skills" which was completed by the Edu-

ational Research Centre and “Independent Review of the 2009 PISA Results for Ireland” which was completed by Statistics Canada. Both reports are available on the website of my Department and the website of the Educational Research Centre. A third report has yet to be completed by Statistics Canada.

In order to provide international comparative data on the performance of Irish students at primary level, Ireland has joined the primary-school phases of the Progress on International Reading Literacy Study (PIRLS) and the Trends in International Maths and Science Study (TIMSS) under the auspices of the International Association for the Evaluation of Educational Achievement (IEA). Testing was undertaken in the sample schools in Ireland in spring of this year and the outcomes of the study are expected to be published by the IEA in December 2012.

National data on the achievement of primary-school pupils in reading and mathematics is collected and published on behalf of my Department by the Educational Research Centre in the periodic National Assessments of Mathematics and English Reading. The most recent report, based on data collected in 2009 was published in 2010 and is available on the website of the Centre.

### **Departmental Expenditure**

183. **Deputy Brendan Smith** asked the Minister for Education and Skills the projected out-turn of net spending by his Department; and the way this figure relates to the Estimates as available in January 2011. [21997/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The net allocation for my Department for 2011, as set out in the 2011 Revised Estimate, is €8.279 billion. In addition, provision for expenditure of some €362 million has been made under the National Training Fund in 2011. There are no savings or excesses being projected on the estimate at this stage. However, my Department will closely monitor the spending situation over the months ahead with a view to ensuring that Government expenditure is maintained within the limits available.

*Question No. 184 answered with Question No. 182.*

### **Research Funding**

185. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has taken any decision concerning the future of research funding programmes operated under the Higher Education Authority. [21999/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** This year my Department is providing some €41 million to support research activities across a range of programmes, including schemes managed by the two research councils, and the technological sector research initiative.

As the Deputy will be aware, my colleague the Minister for Public Expenditure and Reform is undertaking a Comprehensive Expenditure Review across all areas of Government spending. This process, which will be completed by end September, will inform budgetary decisions. In this context, the Deputy will appreciate that I am not presently in a position to comment on specific areas of expenditure within my Department.

### **School Patronage**

186. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has asked the review of school patronage and diversity to consider potential issues concerning educational attainment in the course of its work. [22000/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I announced my intention to establish a Forum on Patronage and Pluralism in the Primary Sector on 28th March, 2011. An Advisory Group, under the Chairmanship of Professor John Coolahan, is overseeing the work of the Forum.

The terms of reference of the Forum are very specific. They are to advise me on: 1. how it can best be ensured that the education system can provide a sufficiently diverse number and range of primary schools catering for all religions and none; 2. the practicalities of how transfer/divesting of patronage should operate for individual primary schools in communities where it is appropriate and necessary; 3. how such transfer/divesting can be advanced to ensure that demands for diversity of patronage (including from an Irish language perspective) can be identified and met on a widespread basis nationally.

In undertaking this work the Forum will, in particular, have regard for the following:

- the expressed willingness of the Roman Catholic Church to consider divesting patronage of primary schools
- the current financial constraints within which the State is operating, the need for continued restraint into the future and the requirement in this context to make maximum use of existing school infrastructure in catering for future demands. The Advisory Group which is independent of the Department will prepare a final report, based on the above terms of reference, and this will be submitted to me by the end of the year.

### **Special Educational Needs**

187. **Deputy Micheál Martín** asked the Minister for Education and Skills if he will ensure that the full allocation of special needs assistants is made in 2011 as provided for in this year's financial allocation, that any changes brought about to the special needs assistants scheme following the recent value for money review are implemented in a way that ensures that those pupils that need an assistant are allocated an SNA. [22034/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to confirm for the Deputy that 10,575 whole time equivalent (wte) Special Needs Assistant (SNA) posts are being provided for primary, post-primary and special schools for the coming school year in order to support the care needs of pupils with disabilities. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. For example, it represents an increase over the December 2010 position where 10,543 posts were sanctioned and in place.

The Deputy will be aware that my Department has published a Value for Money and Policy Analysis review of the Special Needs Assistant scheme. This review is available on my Department's website: [www.education.ie](http://www.education.ie). The Review has shown that the SNA Scheme has been successful in supporting schools in meeting the needs of students with disabilities who also have significant care needs. However, it is clear that the allocation process is generally not well understood within schools and by parents nor is the purpose of the Scheme fully understood. The review recommended that the SNA scheme should be restated to ensure an efficient allocation of SNA resources and to clarify the 'care' nature of the SNA role for parents, schools and professionals. The review did not recommend a change in the role of the SNA. The DES is currently establishing a working group which will consider and implement the recommendations of the SNA Value for Money report.

### **Higher Education Grants**

188. **Deputy John McGuinness** asked the Minister for Education and Skills if the full grant will be awarded in respect of a person (details supplied) in County Kilkenny. [22038/11]



**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for a grant is a matter for a student's local grant awarding body — the relevant local authority or VEC. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form, including those relating to distance from home to college, it would not be possible for me to say whether or not a student would qualify for a grant or what level of grant would be appropriate. However, for the 2011/12 academic year, the qualifying distance criterion for the non-adjacent rate of student grant is 45kms. The Deputy will be aware that this change was introduced by his Government under Budget 2011.

Students qualifying for a grant and living 45kms or less from their college will receive the adjacent rate of grant and their fees or student contribution will be paid on their behalf. Students on particularly low incomes will receive a top-up in the special rate of grant and €5m continues to be available through the access offices of third level institutions for students in exceptional financial need.

189. **Deputy John McGuinness** asked the Minister for Education and Skills if he will review the application for a higher education application in respect of a person (details supplied) in County Kilkenny which has been cut by two thirds due to the fact that this person lives less than 46 km from the college; and if he will reverse the decision due to the safety factor involved. [22039/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The measurement of the distances in question is a matter for grant awarding bodies. It is not possible, therefore, for me to say what the distance calculation or route for an individual student will or should be. However, the shortest most direct route to college is measured. If there is a dispute, this matter should be taken up with the grant awarding authority.

### Schools Building Projects

190. **Deputy Michael Conaghan** asked the Minister for Education and Skills further to Parliamentary Question No. 28 of 9 June 2011, the position regarding the liaison with the receiver in question; the next steps proposed; and if he expects the issue to be resolved before the new school year begins in September 2011. [22101/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My officials are liaising with the school authorities and other relevant stakeholders on the project to which the Deputy refers. A decision was taken in recent weeks that the Department will re-tender the project directly. It is anticipated that construction work will resume on the project in the coming months.

### Higher Education Grants

191. **Deputy Eoghan Murphy** asked the Minister for Education and Skills the reasoning behind Dublin City Council changing the requirements for non-adjacent grants for independent mature students, resulting in a cut of €2000; and the reason this cut is not means tested in the case of a person(details supplied). [22122/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The changes to the student grants scheme to which the Deputy refers were introduced by the previous Fianna Fáil — Green Party Government under Budget 2011. These changes alter the qualifying distance criterion for the non-adjacent rate of grant from 24kms to 45kms and remove the automatic entitlement of mature students to the non-adjacent rate of grant. While these measures will result in changes to the rate of grant payable, none of the measures will result in a student losing a grant or becoming ineligible for a grant.

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All student grants applications are means tested and qualifying students receive the rate of grant available under the scheme in accordance with their individual circumstances. Students on particularly low incomes will continue to receive a “top-up” in the special rate of maintenance grant and the Student Assistance Fund at some €5m continues to be made available through the access offices of third-level institutions to assist students in exceptional financial need.

### Special Educational Needs

192. **Deputy Brendan Ryan** asked the Minister for Education and Skills his views on the special needs unit in a secondary school (details supplied) in Dublin North; if this unit will provide for children with Down’s syndrome; if not, the other provisions being made for such students; and if he will make a statement on the matter. [22128/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Firstly, I wish to explain to the Deputy that the National Council for Special Education (NCSE), through its network of local Special Educational Needs Organisers (SENOs), is responsible for processing applications from primary and post primary schools for special educational needs supports. This includes the allocation of resource teaching hours to schools as well as the establishment of special classes in various geographical areas as required and the discontinuation of such classes where the need no longer exists. The NCSE operates within my Department’s criteria in allocating such supports.

I understand that the ‘special needs unit’ referred to by the Deputy is a special class for pupils with Autism. I wish to clarify for the Deputy in respect of special classes that schools are required to observe Department policy in enrolling children to these classes. This includes having a professional assessment confirming that the child’s attainment levels meet the Department’s criteria and a recommendation for special class placement. As such, enrolment in the special class in question is confined to pupils with a diagnosis of Autism. Schools are eligible for resources for special classes when the pupils enrolled meet the Department’s criteria and where there are enough eligible pupils to retain a class.

Second level schools which have enrolled pupils with special educational needs, including pupils with Down Syndrome with an assessed special educational need, are allocated additional resource teaching support on the basis of the pupil’s special educational needs. The number of additional teaching hours sanctioned ranges from one-and-a-half hours to five hours per week, depending on the pupil’s special educational needs.

193. **Deputy Gerry Adams** asked the Minister for Education and Skills if his attention has been drawn to the fact that a school (details supplied) in September 2010, had 19 attending children with special needs and an allocation of 12 special needs assistants; if his further attention has been drawn to the fact that in September 2011 this school will have 31 attending children with special needs and an allocation of 13 special needs assistants and that while there has been an increase of 1 SNA that at least two SNAs have had their hours cut; if he has satisfied himself that these children will be adequately catered for and receive the education to which they are entitled, with less time with a special needs assistant; and if he will make a statement on the matter. [22137/11]

194. **Deputy Gerry Adams** asked the Minister for Education and Skills if his attention has been drawn to the fact that a school (details supplied) has at least two children with autism who are ready to transition to mainstream school but cannot due to the lack of required special

needs assistants to enable them to do so; his plans to rectify this in order that these children may transition to mainstream according to their education plan; his further plans to immediately rectify this situation in general in order that other children ready to move to mainstream may do so; and if he will make a statement on the matter. [22138/11]

195. **Deputy Gerry Adams** asked the Minister for Education and Skills if his attention has been drawn to the fact that the only having access to a special needs assistant for a child with special needs is wholly inadequate; if children with special needs attending a school (details supplied) will have one to one special needs assistants in the coming school year; and if he will make a statement on the matter. [22139/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 193 to 195, inclusive, together.

First, I wish to clarify for the Deputy that Special Needs Assistant (SNA) allocations are not permanent, as the level of SNA support allocated to a school may be increased or decreased as pupils who qualify for SNA support enrol or leave a school. They are also decreased where a child's care needs may have diminished over time.

I wish to clarify also that the recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and Special Needs Assistants (SNAs) to schools to support children with special educational needs. The NCSE operates within my Department's criteria in allocating such support. This now includes a requirement for the NCSE to have regard to an overall cap on the number of SNA posts.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools. The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year.

### **Higher Education Grants**

196. **Deputy John Lyons** asked the Minister for Education and Skills if he will provide assurances that students on particularly low incomes will continue to receive a top-up in the special rate of the higher education grant that students from disadvantaged backgrounds will receive higher grants of €2,445 at the adjacent rate, or €6,100 at the non-adjacent rate; and if he will safeguard this payment for single parents. [22145/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There are no changes to the qualifying criteria for the top-up in the special rate of grant for students applying under the 2011 student grant scheme. Students, including single parents, satisfying the criteria will be eligible for the top-up payment. The conditions are: 1. Student must qualify for the ordinary rate of grant. 2. Total reckonable income must not exceed €22,703. 3. On the 31st December 2010, the reckonable income must include an eligible long-term payment prescribed under the scheme. The grant rates quoted by the Deputy are correct.

### Departmental Expenditure

197. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the cost for the rental of prefabricated buildings in primary schools for 2010; and the projected cost for 2011 in tabular form. [22198/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The amount spent on renting temporary accommodation at primary and post-primary level, including — but not limited to — prefabricated accommodation in 2010 was €29m. Approximately €24m of this related to prefab rental only. The allocation for 2011 for rental of temporary school accommodation is €29m.

198. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the cost for the purchase of prefabricated buildings in primary schools for 2010; and the projected cost for 2011 in tabular format. [22199/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Since July 2008, it is my Department's policy to offer schools being approved for devolved grant aid for additional accommodation the option to use their capital grant aid to build a permanent classroom(s) rather than purchase a prefab. This has reduced the usage of prefabricated accommodation, with the majority of schools opting to build permanent classroom extensions instead of purchasing or renting prefabs. In 2010, €50.7m was approved by my Department under this scheme, of which €6.6m was used by 52 schools to purchase prefabricated buildings. In relation to 2011 it is not possible at this time to identify how many schools will opt to purchase prefabs however it is expected that the usage will be similar to 2010.

### School Refurbishment

199. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills the position regarding an application by a school (details supplied) in County Donegal and the progress made by his Department facilitating same in view of the support they provide to families of disabled children in Donegal. [22223/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The brief for the project referred to by the Deputy is for an extension to the existing school and refurbishment of existing accommodation. The process of appointing a Design Team for the proposed building project is expected to commence shortly. Officials from my Department will be in contact with the school authorities to outline the tendering process for appointment of the design team. Upon appointment, the Design Team will then commence architectural planning of the project.

### School Staffing

200. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills if he will appoint more teachers to a school (details supplied) in County Donegal as they have requested, in view of the support that they provide to families of disabled children in Donegal. [22224/11]

201. **Deputy Pádraig Mac Lochlainn** asked the Minister for Education and Skills if he will take time to visit a school (details supplied) in County Donegal and witness at first hand the work they do in order to fully understand their real additional needs. [22225/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 200 and 201 together.

I wish to advise the Deputy that the National Council for Special Education (NCSE) is responsible for determining the appropriate staffing levels in relation to the support of pupils with special educational needs in mainstream and special schools. The NCSE operates within my Department's policy in allocating this support.

My Department's Circular 0042/2011 provides details of the staffing arrangements which will apply for special schools for the coming school year. This Circular outlines that current teaching staff levels will be retained in Special Schools for the 2011/12 school year at existing levels, except in the case of schools with excess teaching posts who are losing such posts through retirement. The Circular also sets out that Special Schools, going forward, will be staffed based on their actual current pupil profiles and the disability category of each pupil, as opposed to primarily by school designation. It is intended that school staffing schedules will be reviewed and updated each year by the NCSE.

It is open to the school concerned to contact their local Special Educational Needs Organiser (SENO) regarding their staffing allocation, using the contact details available on [www.ncse.ie](http://www.ncse.ie). I regret I am not in a position to visit the school in the near future due to diary constraints. However, I wish to acknowledge the valuable contribution made by Special Schools to the continuum of provision being made for children with special educational needs.

### **Special Educational Needs**

202. **Deputy Ciara Conway** asked the Minister for Education and Skills the work that has been completed on a targeted early childhood education programme for disadvantaged children, building on existing targeted preschool supports for families most in need of assistance such as a project (details supplied) in Dublin 11; the geographical areas that this scheme will benefit; the number of children that will be able to participate in this programme; the cost implications of same; and if he will make a statement on the matter. [22240/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The commitment in the Programme for Government is that 'As resources allow, this Government will invest in a targeted early childhood education programme for disadvantaged children, building on existing targeted pre-school supports for families most in need of assistance such as the youngballymun project.' I am aware of the excellent work the youngballymun project does in an area of severe socio-economic disadvantage.

There are existing wholly State-funded intervention programmes for young children at risk of educational disadvantage. The Early Start programme aims to provide an educational programme for children aged 3-4 which would enhance their overall development and offset the effects of social disadvantage. The specific objectives of the programme are: To enhance the children's language cognitive and social / emotional development by engaging them in structured play activities which are characterised by high quality adult/child interaction. To assess the strengths and needs of each child in relation to language, cognition and social / emotional development and to plan and deliver a programme of learning to meet the identified needs in these key areas of learning. To devise strategies which actively engage parents in the education of their children.

The Early Start programme has been in existence since the mid 1990s and this programme along with the Rutland St pre-school programme were, until recently, the only wholly State funded educational programmes for pre-school children. In recent years, the State along with Atlantic Philanthropies have funded Prevention and Early Intervention Programmes in areas of disadvantage. These include YoungBallymun, Tallaght's Childhood Development Initiative and the Preparing for Life Programme in Darndale. The evidence accruing from these inter-

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vention programmes as to what works most effectively for young children at risk of educational disadvantage will inform any further targeted interventions.

### **Schools Building Projects**

203. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding an application for a new school by a school (details supplied) in County Westmeath; and if he will make a statement on the matter. [22251/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The process of appointing a Design Team, for the project referred to by the Deputy, commenced on 26th June last when an advertisement seeking design team consultants was published on the e-tenders website. When the appointment process has been completed, assuming no issues arise, the Design Team will commence architectural planning of the project.

204. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding an application for a new school by a school (details supplied) in County Westmeath. [22252/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The provision of a new building for the school to which the Deputy refers necessitates the acquisition of a site. I wish to advise the Deputy that a suitable site has been identified for the proposed school and my Department is working with the local authority to acquire this site. When the site is acquired, a project for the school will be considered within the context of my Department's Multi-annual School Building and Modernisation Programme. In light of current competing demands on the capital budget of my Department, and the position relating to the potential site, it is not possible to give an indicative timeframe for the progression of the project at this time.

205. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding an application for relocation by a school (details supplied); and if he will make a statement on the matter. [22253/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has submitted a proposal to my Department to relocate the school to alternative accommodation. My Department will convey a response to the school authority as soon as the proposal has been considered.

206. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding an application for a new school by a school (details supplied) in County Westmeath; and if he will make a statement on the matter. [22254/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has submitted a proposal to my Department to relocate the school to alternative accommodation. My Department will convey a response to the school authority as soon as the proposal has been considered.

### **Departmental Expenditure**

207. **Deputy Shane Ross** asked the Minister for Education and Skills the sum of any public funds, and their purpose, which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22262/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Information sought by the Deputy in relation to the period prior to 2004 is not readily available and would involve a very significant amount of administrative time to compile.

Since 2004 my Department has made payments of €48,169 to the ‘Irish Business and Employers Confederation’, arising principally from the provision of staff training and academic programmes, as well as conference fees.

Payments of €400,000 were also made to the ‘Irish Business and Employers Confederation — Financial Services’. These payments were made during the years 2010/2011 and arose from the award of a contract to run the Financial Services Ireland Career Start programme. The Career Start Programme, which is funded by the Labour Market Activation Fund, is designed to provide employees with the skills, support and experience to enable them to enter the International Financial Services sector and to access sustainable employment.

### Vocational Education Committees

208. **Deputy Michael McGrath** asked the Minister for Education and Skills his reasoning, including the details of the criteria used, for the revised mergers of vocational educational committees as announced in June 2011; and if he will make a statement on the matter. [22311/11]

209. **Deputy Michael McGrath** asked the Minister for Education and Skills his reasons for proposing a merger of Cork city and Cork county vocational education committees even though on 12 October 2010 he confirmed that these VECs would remain separate; and if he will make a statement on the matter. [22312/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 208 and 209 together.

In July 2009, the Special Group on Public Service Numbers and Expenditure Programmes recommended that the number of VECs could be reduced from 33 to 22 and aligned with the functional areas of the 22 Local Authorities, also recommended by the Group. In September 2009 the then Minister for Education and Science invited interested parties to make written submission in relation to a reduction in the number of VECs.

Arising from this process, the previous Government decided in October 2010 to reduce the overall number of VECs from 33 to 16 and agreed on the merger of particular counties.

At the core of the proposed restructuring is the need to address the current low scale and size of operations in particular VECs in order to position the sector for future development. In this regard, the previous Government decided on a reduction to 16 new entities.

On entering office, I invited the Irish Vocational Education Association (IVEA) to submit alternative rationalisation proposals following their expression of concerns regarding the configuration of the revised entities decided by the previous Government. The IVEA subsequently submitted a proposal that involved 20 new entities.

I am satisfied that having regard to cost and critical mass considerations, a reduction to 16 new entities is appropriate. Consequently, while the new configuration takes account of the IVEA submission to the greatest extent possible, it does not modify the reduction from 33 to 16 in the number of VECs decided by the previous Government.

In this new configuration, eleven of the new entities match the IVEA proposal. In addition, the IVEA proposals to merge City of Galway VEC with Co. Galway VEC, Co. Sligo VEC with Co. Leitrim VEC and City of Waterford VEC with Co. Waterford VEC have also been

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reflected, albeit with the inclusion an additional county in each case. Only three of the existing entities will continue, City of Dublin on the basis of overall scale; and Co. Donegal and Co. Kerry on the basis of their peripheral geographic location.

It was the previous Government that decided to maintain City of Cork and County Cork as separate entities. The recent Government decision to merge City of Cork and County Cork VECs aligns the position in Cork with that planned for Limerick, Waterford and Galway.

### Higher Education Grants

210. **Deputy John McGuinness** asked the Minister for Education and Skills if a grant for a FETAC 5 nursing studies course at Ormonde College, Kilkenny, will be approved by Kilkenny Vocational Education Committee in respect of a person (details supplied) in County Kilkenny. [22327/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for a grant is a matter for a student's local grant awarding body — the relevant Local Authority or VEC. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application form, including those relating to residence, means, nationality and previous academic attainment, it would not be possible for me to say whether or not a student would qualify for a grant. The student in question should, therefore, apply her local grant awarding authority to have her eligibility for a grant assessed.

### School Curriculum

211. **Deputy Brendan Smith** asked the Minister for Education and Skills the proposals, if any, he has to review the leaving certificate engineering syllabus; and if he will make a statement on the matter. [22358/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Revised Leaving Certificate syllabi were submitted by the National Council for Curriculum and Assessment in relation to the four Leaving Certificate technology subjects in 2004. Two of these subjects, Technology and Design and Graphic Communications were introduced in September 2007. The remaining two subjects, Leaving Certificate Engineering Technology and Architectural Technology are awaiting implementation.

Both subjects require significant investment in equipment and professional development for teachers, and the resources for this are not available at the current time. The major priority for the present government is to raise standards in literacy and numeracy. The Programme for Government contains a determination to make literacy a national cause and as a result, this policy goal will have to be prioritised over other curricular reforms. It is my intention to proceed with the Maths and Irish reforms which are under way, to strengthen literacy and numeracy, and reform junior cycle provision to allow for greater creativity and innovation, embedding key skills and addressing curriculum overload.

While I agree that it would be desirable to implement the revised Leaving Certificate Engineering Technology and Architectural Technology curricula, it is also essential to have sustained and cumulative reductions in public expenditure over the coming years. It is regrettable that when the public finances were in a much better position under the last government, in which the Deputy served, that significant reforms like this were never implemented.

### Post-Leaving Certificate Courses

212. **Deputy Brendan Smith** asked the Minister for Education and Skills if additional post-



leaving certificate course places will be allocated to County Leitrim Vocational Education Committee; and if he will make a statement on the matter. [22360/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** County Leitrim Vocational Education Committee (VEC) has approval for an allocation of 92 Post Leaving Certificate (PLC) places and this allocation is being maintained for the 2011/2012 academic year.

### **FÁS Training Programmes**

213. **Deputy Brendan Smith** asked the Minister for Education and Skills if he has decided on the model of delivery to facilitate the provision of training opportunities after the integration of the training section of FÁS into his Department; if consideration will be given to the back-to-education model, which has proven to be a successful, cost-effective and flexible model; and if he will make a statement on the matter. [22368/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** 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.

### **Adult Education**

214. **Deputy Brendan Smith** asked the Minister for Education and Skills if he will provide clarification on the scope and definition of further education in the context of forthcoming legislation on the rationalisation of vocational education committees and training and skills; if further education will encompass adult literacy, community education and the back-to-education initiative, and Youthreach skills for work and workplace learning, particularly in view of the success to date in these particular areas due to the flexibility of part-time learning opportunities and the fact that the part-time structure model represents good value for money in terms of training and upskilling; and if he will make a statement on the matter. [22373/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I am currently reviewing options regarding the provision of further education and training and the structures to support it. In relation to the amalgamation of Vocational Education Committees (VECs), officials in my Department are working on the preparation of new legislation to bring the changes about and as a general principle I am anxious to ensure that the amalgamation process is done in a manner that is not disruptive in any way to the provision of existing services and provision by individual VECs.

### **Skills Development**

215. **Deputy John Lyons** asked the Minister for Education and Skills his views on the recent reports of up to 2,000 vacancies in high-tech jobs here; his views on whether this skills deficit can be overcome; and if he will make a statement on the matter. [22393/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** My Department is continually examining ways to increase the availability of, and to enhance the success of, the education and training provision for the unemployed.

My Department is funding in 2011 the provision of over 154,000 Training places through FÁS, Skillnets and the Labour Market Activation Fund and 172,000 places which the unemployed may access in the Further Education sector as well as 161,900 in the Higher Education sector.

[Deputy Ciarán Cannon.]

The Expert Group on Future Skills Needs plays a key role in advising on the future skills needs of enterprise. Its reports are disseminated directly to education and training providers, third level institutions and provide a valuable input to the development and amendment of course curricula.

Expert Group on Future Skills Needs research and engagement between higher education providers and industry also informed the development and selection of the part time higher education programmes being funded through Springboard. Under this new initiative 6,000 places are being provided for unemployed people in areas where employment opportunities are expected to arise in the future, ranging from the food industry to ICT to green technology and international services.

My Department and the Higher Education Authority, in collaboration with the Secretariat to the Expert Group on Future Skills Needs are also working closely with the ICT industry to develop further responses to specific skills needs that have been identified by that sector.

In addition, the Labour Market Activation Fund provided a mix of programmes covering a broad spectrum of activities in potential high growth areas of the economy. This programme is being evaluated and this evaluation will inform Government policy and decisions on the focus of upskilling programmes in the context of relevant skills needs of the Labour Market.

### Departmental Properties

216. **Deputy Brendan Smith** asked the Minister for Education and Skills the progress made to date on the proposal to develop new educational facilities on the site of the former Army barracks in Monaghan town; when this project will proceed to construction stage; and if he will make a statement on the matter. [22411/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** As the Deputy may be aware, the delivery of the proposed educational facilities on the site of the former Army Barracks in Monaghan has been devolved to Co. Monaghan VEC. I understand that tenders have been received and are currently being evaluated by Co. Monaghan VEC.

### Special Educational Needs

217. **Deputy Jack Wall** asked the Minister for Education and Skills his views on a matter (details supplied); if the request from the school has been processed; the position regarding the application; and if he will make a statement on the matter. [22412/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Firstly, I wish to clarify for the Deputy that the existing level of Special Needs Assistant (SNA) support is being retained in special schools, other than those whose enrolments have declined significantly, in order to assist and protect the most vulnerable children in the education system.

I understand that the school in question will have an allocation of 28 SNAs from September 2011. I wish to clarify that SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The Deputy will be aware that the National Council for Special Education (NCSE) is responsible, through its network of local Special Educational Needs Organisers (SENOs) for allocating resource teachers and 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.

My Department's Circular 0042/2011 provides details of the staffing arrangements which will apply for special schools for the coming school year. This Circular outlines that, other than for special schools which have declining enrolments, the existing levels of SNA support will be maintained in special schools for the coming school year, with a review to take place in the Autumn.

### Site Acquisitions

218. **Deputy Anne Ferris** asked the Minister for Education and Skills the position regarding the acquisition of a site to facilitate the construction of a primary school (details supplied) in County Cork. [22439/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Property Management Section of the Office of Public Works has, on behalf of my Department, recently identified site options in the area for the school referred to by the Deputy and these options are under consideration by my Department. The acquisition of a suitable site and the delivery of a new school building will be considered in the context of existing commitments and other competing demands on the Department's capital budget.

### Schools Building Projects

219. **Deputy Michael McGrath** asked the Minister for Education and Skills, further to his announcement of 40 new schools on 27 June 2011, the next step in the process of developing a new second level school (details supplied) in County Cork; and if he will make a statement on the matter. [22441/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I recently announced that 20 new primary and 20 new post-primary schools are to be established in the next six years across a number of locations, including the area referred to by the Deputy. I also announced the introduction of new arrangements for the recognition of both primary and post-primary schools that will provide an opportunity for all patrons to apply for patronage of these new schools. My Department will shortly inform patron bodies of details of the initial post-primary schools that are to be established and will invite applications for patronage of these schools.

220. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the provision of an extension for the existing special needs unit in a primary school (details supplied) in County Cork. [22443/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am pleased to inform the Deputy that my Department recently authorised this project to proceed to construction.

### Schools Refurbishment

221. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding planned refurbishment work and a new building for a school (details supplied) in County Cork. [22445/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The building project at the School referred to by the Deputy is included in the School Building Works Programme for 2011 which was announced on 24th January 2011. Information, including current status, in relation to all projects on the 2011 Programme is available on my Departments website.

[Deputy Ruairí Quinn.]

Although planning permission has been granted by the Local Authority, this is now subject to a number of third party appeals to An Bord Pleanála. Once the appeals have been determined by An Bord Pleanála the Department will be in contact with the school regarding to the further progression of the project.

### **Schools Building Projects**

222. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding a planned extension to a primary school (details supplied) in County Cork; and if he will set out a timeline for the completion of the project. [22446/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The project to which the Deputy refers is at an advanced stage of the tender process. Subject to no issues arising, it is envisaged that the project will progress to construction in the coming months and will take circa 18 months to complete.

223. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding planned extension and refurbishment works at a second level school (details supplied) in County Cork. [22447/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that in 2009, a proposed major capital project for the school referred to by the Deputy was announced to proceed through the architectural planning process. Since then, it has not been possible to progress this project due to on-going issues regarding access to the proposed site for the school building project. Officials from my Department are in on-going contact with the school authorities to resolve these issues so that the project may proceed to the next stage and the appointment of a Design Team.

In the meantime, my Department has approved temporary accommodation to meet the schools interim accommodation requirements and my Department is currently considering an application from the school for temporary accommodation. My Department will be in further contact with the school authorities in this regard.

### **Schools Building Projects**

224. **Deputy Michael McGrath** asked the Minister for Education and Skills the position regarding the application for a new school building by a national school (details supplied) in County Cork. [22448/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The school to which the Deputy refers has applied to my Department for large scale capital funding for an extension. The application has been assessed in accordance with the published prioritisation criteria for large scale building projects and assigned a Band 1 rating.

My Department has reached agreement, in principle, in relation to the proposed acquisition of a site for a permanent building for the school. Liaison with the Local Authority on the matter is ongoing and an outline planning application is currently being prepared. Due to the commercial sensitivities relating to site acquisitions, I am not in a position to comment further at this time on issues relating to the site.

Information in respect of the current school building programme along with all assessed applications for major capital works, including the project referred to by the Deputy, is available on the Department's website at [www.education.ie](http://www.education.ie).

All large scale building projects, including this project, from initial design stage through to construction phase are being progressed in the context of my Department's multi-annual School Building and Modernisation Programme and the available financial resources. However, in light of current competing demands on the capital budget of my Department, it is not possible to give an indicative timeframe for the progression of the project at this time.

### **School Transport**

225. **Deputy Robert Troy** asked the Minister for Education and Skills the position regarding school transport for a school (details supplied) in County Longford. [22449/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** Bus Éireann, which operates the School Transport Scheme on behalf of my Department, has advised that the school transport service which currently operates into the school in question will remain in place for the 2011/12 school year.

### **Special Educational Needs**

226. **Deputy Jack Wall** asked the Minister for Education and Skills his views on a matter (details supplied); the actions he proposes to address the concerns raised; and if he will make a statement on the matter. [22453/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Firstly, I wish to reiterate this Government's commitment to the provision of resources for children with special educational needs.

The Programme for Government sets out that education will be a priority for this Government and that we will endeavour to protect and enhance the educational experience of children, young people and students.

Approximately 15% of the entire budget of my Department — some €1.3 billion — will be spent in support of children with Special Educational Needs this year. This provision is in line with expenditure in 2010 and shows that despite the current economic difficulties, funding for special education has not been cut. This Government is committed to the protection of front-line services for pupils with special educational needs.

A total of 10,575 whole time equivalent (wte) Special Needs Assistant (SNA) posts are being provided for primary, post-primary and special schools for the coming school year in order to support the care needs of pupils with disabilities. This is a significant number of posts and unlike other areas of the public sector vacancies are being filled up to this number. For example, it represents an increase over the December 2010 position where 10,543 posts were sanctioned and in place.

Approximately 9,950 learning support/resource teacher posts, including those provided under the General Allocation model, are also being provided in primary & post primary schools in order to provide additional teaching support to pupils with special educational needs. This represents an increase of approximately 350 whole time equivalent posts over last year's allocation.

Over 1,000 teachers are also being provided for in special schools providing teaching to pupils with various disabilities at much reduced pupil: teacher ratios e.g. autism PTR is 6:1; moderate general learning disability PTR is 8:1. Enhanced levels of school capitation are payable to most special schools and special classes and special School Transport arrangements for pupils with disabilities are provided at a cost of over €60m per year. Approximately €1.3m is also provided annually to schools for assistive technology support.

[Deputy Ruairí Quinn.]

Early educational intervention is provided for children with autism from 2½ years of age. There are now 56 early intervention classes for children with autism attached to mainstream schools that are funded by the Department. Funding is also provided through the home tuition programme for children with autism aged from 2½ years to 5 who are unable to access an early intervention class. An extended school year is also currently available for pupils who have either a severe/profound general learning disability or who have autism.

In all, €1.3bn has been allocated in the 2011 budget to support pupils with special educational needs. This level of expenditure represents a significant commitment to special education provision at a time when savings are being required across a range of expenditure areas.

### **Departmental Bodies**

227. **Deputy Anne Ferris** asked the Minister for Education and Skills the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government. [22472/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** This matter is currently being considered by my colleague Ms Kathleen Lynch TD who, as Minister of State at the Department of Justice and Equality, has responsibility for equality issues. Minister of State Lynch chairs a sub-committee of the National Women's Strategy Monitoring Committee on Women in Decision Making which is looking at ways to increase the role of women in all areas of decision making, including their representation on corporate and State boards. My Department is represented on this group and is assisting with its work which is expected to be completed later this year.

In the meantime I will aim to ensure that the target set in the Programme for Government is met in relation to all boards under the aegis of my Department.

### **Departmental Equipment**

228. **Deputy Dara Calleary** asked the Minister for Education and Skills the number of computer servers owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22487/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** There are 97 Computer Servers owned by my Department. These servers are located in and provide services to our three main sites in Dublin, Athlone and Tullamore as well as our regional offices and the offices of the National Educational Psychological Service. These servers also host our eGovernment services.

My Department does not lease Computer Servers. The storage capacity of the servers range from a minimum of 80 Gigabytes to a maximum of 970 Gigabytes.

The information sought in relation to the bodies under the aegis of my Department is not readily available and would involve an inordinate amount of administrative time to compile. However, if the Deputy has any particular agency in mind I would be happy to have my officials obtain the relevant details and communicate them to the Deputy.

### **Schools Refurbishment**

229. **Deputy Pat Deering** asked the Minister for Education and Skills the amount of money spent by his Department in the past three years refurbishing school buildings that are leased by his Department; and if he will provide a breakdown of the figures including names of schools involved. [22506/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that my Department provides grant aid to school authorities for the rental of temporary accommodation and it is the responsibility of the school authority to source such accommodation. Where some level of refurbishment works are required to make the accommodation suitable for school use, the costs may be reflected in the rent charged by the landlord. If the Deputy wishes to clarify the situation in respect of an individual school, then I would be happy to provide him with the information.

### Schools Building Projects

230. **Deputy David Stanton** asked the Minister for Education and Skills the progress made on the development of a new primary school at Rathcormac, County Cork; the expected date for completion of the school; and if he will make a statement on the matter. [22518/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The project for Rathcormac National School is included in the School Buildings Work Programme for 2011 which was announced on 24th January 2011.

Information, including current status, in relation to all projects on the 2011 Programme is available on my Department's web-site. The Design Team have submitted a revised Stage 2(b) (Detailed Design) for review by my Department. As soon as this review is complete, and assuming no further issues arise, my Department will be in contact with the Board of Management with regard to the further progression of the project.

### Teaching Qualifications

231. **Deputy David Stanton** asked the Minister for Education and Skills, further to Parliamentary Question Nos. 15 and 50 of 7 July 2011, if his attention has been drawn to a situation whereby different persons who are graduates of Bachelor of Civil and Environmental Engineering (BE (Civil) Degree) from NUI Cork and who have successfully completed a Postgraduate Diploma in Education have been treated differently by the Teaching Council regarding the recognition of their qualifications and subsequent approval by the Teaching Council to teach mathematics and applied mathematics in second level schools (details supplied); and if he will make a statement on the matter. [22519/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to restate that the Teaching Council is the body with statutory responsibility for the registration of teachers including the recognition of teaching qualifications and neither I nor my Department have a role in this process.

I have made enquiries with the Council regarding their procedures and I understand that the situation is as follows. The Teaching Council assesses applications for registration having regard to set criteria. For the purposes of post primary registration, the Council assesses the transcripts of each individual applicant undergraduate degree to determine if the subject criteria for a post-primary curricular subject have been met.

In assessing degrees in engineering for the purposes of meeting the criteria for Mathematics, the Council examines qualifications transcripts to determine that there is coverage of mathematical content to the order of 54 ECTS credits throughout the degree. The study of mathematics should typically include algebra, analysis, geometry and statistics/probability, all of which are essential in the teaching of Mathematics in Post-primary schools. In assessing degrees for Applied Mathematics, the 54 ECTS of Applied Mathematics should include a major element of Mechanics or Mathematical Physics in addition to less major study in algebra, analysis, geometry and statistics/probability.

[Deputy Ruairí Quinn.]

The Council has found over recent years that the mathematical content studied by two students on the one programme in engineering can vary based on the modular options chosen by each student in his/her degree. This could result in one of the students meeting the criteria for mathematics where the other does not. In some cases where an applicant has an engineering degree and additional qualifications containing the study of mathematics, he/she may request that the Council assess the combination of two qualifications which may lead to the outcome that combination of the two qualifications meets the subject criteria. It is for these reasons that the Council may appear to recognise qualifications in engineering on a differing basis.

### **FÁS Training Programmes**

232. **Deputy Joe Costello** asked the Minister for Education and Skills when and the reason FÁS has ceased payment of the security license fee as part of the FETAC security training course; and if she will reinstate the practice of covering this cost in order that successful participants can progress to the labour market. [22547/11]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I am informed that FÁS has examined this issue and it would appear that there are different approaches taken across the FÁS regions.

Some regions include the licence fee in the certification cost of the course and therefore there is no cost to the trainee. In other instances trainees are informed at the outset of the course that application for the licence must be done individually by the trainee.

It is important to point out that in instances where the individual trainee is responsible for the application they are eligible to apply for funding under the Technical Employment Support Grant.

I understand that it is the intention of FÁS to conduct a full review of policy in this area in order to establish a consistent approach across all FÁS regions.

### **Redundancy Payments**

233. **Deputy Noel Coonan** asked the Minister for Education and Skills the situation regarding an application for partial redundancy in respect of a person (details supplied) in County Tipperary; if a decision will be made on same and the reason for the decision; and if he will make a statement on the matter. [22549/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** An application for compensation for loss of hours (partial redundancy) was received on 28th June 2011 by my Department from the person referred to by the Deputy.

Under the terms of my Department's circular on redundancy arrangements for Special Needs Assistants, this person is not entitled to a partial redundancy payment as the time limit for submitting an application (52 weeks after the date of termination of the contract of employment) had expired. My Department wrote directly to the person referred to by the Deputy on 28th June 2011 (and again on 12th July following further correspondence) informing the person of the position.

### **Special Educational Needs**

234. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if he will review the case of a person (details supplied) in County Meath in view of the change in diagnosis this



year and the increased number of school hours for the school year 2011/2012; and if he will make a statement on the matter. [22569/11]

**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.

The responsibility for deciding on the quantum of educational resources to be allocated to pupils with special educational needs resides with the NCSE through the SENO. The consideration of professional reports is an integral part of determining the extent of supports to be provided for pupils with special educational needs. The NCSE has outlined the processes involved in the consideration of applications for special needs supports in its Circular 01/05 which is available on [www.ncse.ie](http://www.ncse.ie).

I wish to clarify for the Deputy that the recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools. The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year.

235. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if the allocated special needs assistant hours in respect of a person (details supplied) in County Meath will be increased by an hour to accommodate the person's new school timetable; and if he will make a statement on the matter. [22570/11]

**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.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year.

236. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if he will review the number of special needs assistant hours that have been allocated to a person (details supplied) in County Meath in view of the changed circumstances of the person's school timetable and the need for one-on-one attention throughout the school day; and if he will make a statement on the matter. [22571/11]

**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.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year. The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism. It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

237. **Deputy Dominic Hannigan** asked the Minister for Education and Skills if he will review the number of special needs assistant hours allocated to a person (details supplied) in County Meath in view of the high level of need and changed school timetable; and if he will make a statement on the matter. [22572/11]

**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.

The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools.

The recruitment and deployment of SNAs within schools are matters for the individual Principal/Board of Management. SNAs should be deployed by the school in a manner which best meets the care support requirements of the children enrolled in the school for whom SNA support has been allocated. 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.

The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year.

The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism. It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

238. **Deputy Dominic Hannigan** asked the Minister for Education and Skills when the revised allocation of special needs assistant hours will be announced in August 2011; when parents will be notified of the revised hours for the new school year; and if he will make a statement on the matter. [22573/11]

**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. The NCSE has issued a circular to all schools advising of the allocation process for the 2011/2012 school year. A key feature of the amended scheme will be to provide for an annual allocation of Special Needs Assistant support to eligible schools. The NCSE is currently in the process of informing schools of their annual SNA allocation for the coming school year. 10,575 whole time equivalent posts are being provided for the coming school year. To manage this limited resource, 475 of these posts will be retained for allocation over the coming school year to address significant emergency cases; new entrants with special needs; or new assessments or injuries acquired during the school year. The NCSE will advise schools early in the new school year of a review process to review allocation decisions to ensure that correct procedures were followed and that they comply with my Department's policy. The merits of individual allocation decisions will not be open to appeal under this mechanism. It will be expected that schools, before requesting a review, will be in a position to demonstrate that they have made every effort to manage their allocation of SNA posts to best effect.

### **Departmental Agencies**

239. **Deputy Joe McHugh** asked the Minister for Education and Skills the number of quangos, agencies and authorities that were established by his Department in each of the years 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22579/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Set out below is the information requested by the Deputy with regard to new agencies created since 1997 to date:

An Chomhairle um Oideachais Gaeltachta agus Gaelscoilaíochta — COGG (established 1999);

Commission to Inquire into Child Abuse — CICA (established 1999);

Education Finance Board — EFB (established 2006);

Further Education & Training Awards Council — FETAC (established 2001);

[Deputy Ruairí Quinn.]

Grangegorman Development Agency — GDA (established 2006);  
 Higher Education and Training Awards Council — HETAC (established 2001);  
 Irish Research Council for Science Engineering and Technology — IRCSET (established 2001);  
 Irish Research Council for the Humanities and Social Sciences — IRCHSS (established 1998);  
 National Centre for Technology in Education — NCTE (established 1998);  
 National Council for Special Education — NCSE (established 2003);  
 National Educational Welfare Board — NEWB (established 2002);  
 National Qualifications Authority of Ireland — NQAI (established 2001);  
 Residential Institution Redress Board — RIRB (established 2002);  
 Residential Institution Review Committee — RIRC (established 2002);  
 State Examinations Commission — SEC (established 2003);  
 The Teaching Council (established 2006);  
 The Centre for Early Childhood Development & Education — CECDE (established 2002).

The Deputy may wish to note that the NEWB is now under the aegis of the Department of Children and Youth Affairs while the CECDE ceased operations in 2008 while responsibility for Skillnets Ltd, which was established in 1999, transferred from the then Department of Enterprise, Trade & Employment to my Department in May 2010. In addition work is ongoing in my Department with regard to the Qualifications and Quality Assurance (Education and Training) Bill which provides for the amalgamation of the NQAI, HETAC and FETAC, a commitment in the Programme for Government. The new body is to be known as the Qualifications and Quality Assurance Authority of Ireland (QAAI).

In relation to the number of staff employed by my Department I can confirm that the figure as of 1st January 2011 was 1,270 compared to 885 in December 1997 — both Whole time Equivalent (WTE) figures. A significant factor in the increase in figures has been the expansion of the National Educational Psychological Service (NEPS).

### **Consultancy Contracts**

240. **Deputy Joe McHugh** asked the Minister for Education and Skills if he will provide a report of the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22596/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** All of the details requested are not readily available within my Department and it would involve a very significant amount of administrative time to identify, retrieve from storage, and examine all relevant files in order to compile the information in question.

However, I am providing a listing for the years 2000 to 2010 as compiled in response to previous parliamentary questions. This listing includes expenditure on consultancies commissioned during that period indicating the costs involved. It also includes certain contracts which are not classified as consultancies. If the Deputy has an interest in any particular item listed I will ask my officials to endeavour to get further details if available.

## List of Consultants, Experts and Advisors engaged by the Department of Education and Skills (formerly the Department of Education and Science) during the years 2000 to 2010 inclusive

## Year 2000

Consultants, Experts, Advisors	Purpose	Total Cost
		£
C. Sheffield	Employee Assistance Service Review	4,090
CRC, Trinity College	Evaluation of Early School Leavers Initiative	52,810.89
CRC, Trinity College	Preparation of National Youth Work Development Plan	54,300
Crowleys — DFK	ESF verification report	70,654.81
Deloitte & Touche	Organisational review	35,214
Dennehy Associates	PR Consultancy	19,360
Dermot Rochford	Review of the Pilot Employee Assistance Scheme	8,894
Dermot Rochford	Staffing resource and organisational needs of NQAI, HETAC and FETAC	14,336.08
Dermot Rochford	Staffing needs of admin office in Tourism College, Killybegs	4,089.90
Eileen Costello	Consultancy — Inventory System	1,625
ERC, St. Pat's Drumcondra	Research on 8 — 15 Early School Leaver Initiative	111,117
Ernst & Young	Review of Work in the Building Unit DES	15,137
Eustace Patterson Ltd	Review of Gaisce	15,157
Farrell Grant Sparks	Report on Tralee IT under Section 20 of RTC Act 1992	32,017.18
Farrell Grant Sparks	PPP Project Launch	18,297.79
FarrellGrantSparks/A & Lgoodbody	Pilot PPP Education Projects (Five PPP Schools and Cork School of Music)	103,665.99
Inishowen Technology	School information and communication technology	15,695
Lesley Dee	Orchard Cope Foundation	5,075
Noel Lindsay	Saving & loan fund for adult & continuing education	2,000
NUI — Maynooth	Adult Education — Green & White Papers	35,000
Oliver Freaney & Co	3rd Level Finance accountancy	19,950
Philip Lee Solicitors	Consultancy — Vet School	2,934.25
Prospectus	Business Planning and Partnership in DES	17,949
Prospectus	Review of Special Education	26,645
Prospectus	Staff survey on internal communications	23,262
Seamus Ó hUallacháin	Interim Review of Institutes of Technology	1,100
Sean Cromien	Review of Department of Education operations & structures	16,500
Todd Architects	Masterplan — Portlaoise	59,508
Tony Bromwell	Review of Safety Procedures in Lisnagry, Co.Limerick	3,534
WRC Social&EconomicConsults	Review of VTOS	11,654
WRC Social&EconomicConsults	Women's Education Initiative	20,100
WRC Social&EconomicConsults	Improving Effectiveness of VTOS	29,140
	2000 Total	850,812.89

[Deputy Ruairí Quinn.]

Year 2001

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Anne Colgan	DES Task Force on Autism	10,000
Conor Galvin/ Bryn Holmes	Research Consultancy on ICT Usage in Schools	5,079
Deloitte & Touche	Business Analysis & Development of the Financial Management Function	88,854
Deloitte & Touche	Specification and selection of FMS System	42,418
Deloitte & Touche/A & L Goodbody	Pilot PPP Education Projects (National Maritime College)	336,480
Dennehy Associates	PR Consultancy	126,339
Dermot Rochford	VEC staffing study	85,983
Dominic McCanny	Investigation for Personnel Unit (DES)	2,619
Educational Research Centre	Evaluation of the sole use of the answer questions in Apprentice Tests	47,990
Elizabeth Waters	Lifelong Learning Consultation	13,500
Eustace Patterson Ltd	Contribution to study of FIT	8,854
Farrell Grant Sparks	Financial advice re: European Investment Bank refinancing of PP Projects	63,000
Farrell Grant Sparks/A & L Goodbody	Report on the Strategic Development Site for education & health purposes	120,625
Farrell Grant Sparks/A & L Goodbody	Five PPP Schools & Cork School of Music	164,537
Gartner Group	Research Advisory Services	33,065
Institute of Leisure & Amenity (ILAM)	PE Halls	1,062
Jonathan Williams	Editing of reports	887
Jordan Akustik	Cork School of Music	7,103
Kevin Leonard	Management Consultancy NEPS Administration	5,326
McCann Fitzgerald	Seminar on Public Procurement	4,207
McIver Consulting	Review of PLC Sector	88,722
Michael Collins and Associates	Architectural advice	32,886
National Women's Council	Technical support for education equality initiative	106,072
Niall Fitsimons & Co.	Site Report on St. Finbarr's Farranferris	5,561
Price Waterhouse Coopers	Review of financial guidelines	11,995
Prospectus	Internal Customer Action Plan and Business Planning	7,618
Sean O Fiachra	OECD INES network C — developing a new governing structure for ERC	10,271
Tony Bromwell	Review of Safety Procedures in Lisnagry, Co. Limerick	2,442
WRC Social & Economic Consults	Women's Education Initiative	10,802
WRC Social & Economic Consults	Independent assessment of the young people's facilities and services fund	29,011
	2001 Total	1,473,308

## Year 2002

Consultants, Experts, Advisors	Purpose	Total Cost
		€
A & L Goodbody	PPP Projects	3,841
AHEAD	Review of disability needs in further education	38,000
Aine Hyland	Preparation of Eurydice Dossier	3,174
Anne Tuffy	Report on European Schools	7,181
Cynthia Deane	Educational Disadvantage Forum	5,050
Deloitte & Touche/A & L Goodbody	Pilot PPP Education Project (National Maritime College)	98,500
Deloitte & Touche	Verification Programme for ESF-aided Programmes 2000-2001 VEC sector	21,455
Dennehy Associates	PR Consultancy	38,444
Dermot Rochford	Study of VEC staffing structure & job evaluation of librarian (St Catherines)	4,830
Dominic McCanny	Investigation for Personnel Unit DES	524
Eustace Patterson Ltd	Contribution to study of FIT	7,682
Helen Leonard	Survey to evaluate pay of library staff in St Catherine's	3,807
Irish Project Supervisors Ltd	Report: Health & Safety Spec & Risk Assessment for window cleaning	3,810
John Coolahan	Preparation of Eurydice Dossier	8,583
John Coolahan	OECD Report on Teachers	6,300
Mazars Consulting	Corepay support	22,997
Mazars McIver	Assessment of staffing requirement of National Adult Learning Council	4,695
McIver Consulting	Review of PLC sector	48,164
National Women's Council	Technical support for education equality initiative	87,000
Occupational Health Consultants	Asbestos lecture	752
Professor Iseult McCarthy	Art Teachers Diploma Review	7,504
Professor Thomas Mitchell	Work for the Irish Academy for the Performing Arts	3,900
Project Management Limited	Pilot Schools Inventory Project	1,092,749
Sean Glenane	OECD INES Project	2,933
University of Limerick (Frank McGourty)	Research on Laboratory Design & Equipment	104,055
Vivian Cassells	Report on European Schools	7,181
	2002 Total	1,633,110

## Year 2003

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Accenture	Advice & Assistance in the implementation of a Financial Mngt System	99,950
Ashby Food Safety Associates Ltd	Tendering process for light restaurant equipment	1,452
Bruce Shaw Safety Management	Health & Safety Revised Procedures	2,178
Cooney Carey	Study of schools' transitional difficulties following phasing out of CE Schemes	37,401
Datanet Ltd	Feasibility Study on Providing Broadband Connectivity to Schools	78,795

## [Deputy Ruairí Quinn.]

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Deloitte & Touche/A & L Goodbody	Pilot PPP Education Project (National Maritime College)	60,218
Dr. Jane Pillinger	For Work on Equality/Diversity booklet	2,904
Dr. Joe Mc Hugh	Reports on Cork Northside centre for Higher Education	6,349
Dr. Maeve Martin	Desk study on Montessori teacher qualifications	6,300
Eoghan Boyle	Europe at School	833
Fitzpatrick Associates	Impact Assessment of EU Youth Programme	58,322
Giant Accountancy Services	Reading Recovery Study	850
Indecon Consultants	Interim evaluation of Socrates Programme	96,300
IPA	Providing quality service/ Implementation of devolved control	13,705
Iseult Mc Carthy	Europe at School	819
JJ Dwyer & Associates	Review of Partnership in the Department	9,741
John Coolahan	Compilation of National Dossier for Eurydice	8,583
Josephine O Donnell	Provision of Career Guidance Services to the European Schools	760
Karen Bacon	Provision of Career Guidance Services to the European Schools	190
Mazars McIvor	Assessment of staffing requirement of National Adult Learning Council	42,253
Michael Collins and Associates	Architectural advice	28,060
OECD	Review of Higher Education in Ireland	100,000
Precision Marketing Information Ltd	Census of schools — set up and data capture costs	6,088
Precision Marketing Information Ltd	Reports from census	9,667
Price Waterhouse Cooper	Audit of enrolments and release time scheme in primary schools	57,000
Talbot Associates Ltd	Review of supply teacher scheme	114,300
Valarie Considine	Accountant in DES	650
	2003 Total	843,667

## Year 2004

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Advanced Organisation & Mngt Develop.	Colloquium on Higher Education	7,275
Ashby Food Safety Associates Ltd	Catering Services Audit	2,178
Butler Group	Evaluation of Project Proposal	22,136
Butler Group UK	Ptinum Subscription Service	11,677
C Moore & Associates Ltd	Advice re expenditure review initiative on school buildings	2,400
Cahill's Sport Emporium	Preparation of speech material	900
Carr Communications	Facilitation at official function	1,900
Carr Communications	Advice, support & assistance for Your Education System (Y.E.S.) process	114,578



Consultants, Experts, Advisors	Purpose	Total Cost
		€
Clare Cunningham, Rockfinch Ltd	Council of Europe Report — Language Educ. Policy Country Profile	5,232
Cloncar Consulting International	Election of Teaching Council Members	7,250
Coady Partnership Architects	Department of Education & Science Furniture Review	49,542
Cynthia Deane — Options Consulting	Preparation of Strategy Statement for NEPS	10,011
Datanet Ltd	Assistance to Schools Broadband Steering Group	252,855
Dundalk Institute of Technology	Review of the operation of the 2004 Schools Building Programme	17,500
Expert Report OECD Study	Attracting, Developing and Retaining Effective Teachers	18,726
FarrellGrantSparks/A&Lgoodbody	Consultancy Services to achieve contractual and financial close to Cork School of Music PPP Project	114,950
FarrellGrantSparks/A&Lgoodbody	Value for money assessment for Cork School of Music revised output spec.	95,000
Gartner	Evaluation of Project Proposal	49,178
Gearoid O Riain	Contracted as External person by the Joint Working Group for the Traveller Education Strategy to assist in drafting the strategy	30,000
IPA	Providing quality service/ Implementation of devolved control	12,705
John Coolahan	Eurydice Dossier	5,152
John Coolahan	OECD Report	6,995
Mazars	Finance Unit support	7,461
McIver Consultants/Steering Committee	Re-expenditure of ICT Undergraduate Skills Programme	35,439
MRBI	Qualitative Depths	8,712
MRBI	Postal Survey	10,073
MRBI	Customer Service Survey	10,073
Polaris Human Resources	Review of Gender Mainstreaming in DES	11,090
Precision Marketing Information Ltd	Reports from Census	4,636
Softex	Consultancy on Quality Customer Service (QCS) targets	2,420
Torlach O Connor	European Year of Education through Sport	5,000
Valarie Considine	Accountant in DES	48,425
	2004 Total	981,470

## Year 2005

Consultants, Experts, Advisors	Purpose	Total Cost
		€
A & L Goodbody	Youth Information Provision Review	57,626
Advanced Organisation & Mngt Develop.	Colloquium on Higher Education	1,936
AMAS	Advice & Guidelines on writing for the web on a restricted website	19,979
Archives Consultancy Services Ltd	Record Management Workshops	4,840
Barrister-at-Law	Barrister to advise Department	63,305

## [Deputy Ruairí Quinn.]

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Brid McGrath	Report on the development of a library service in NEPS	6,175
Caroline Hussey	Adjudication Panel of Courses	3,500
Clare Cunningham, Rockfinch Ltd	Council of Europe Report — Language Educ. Policy Country Profile	6,684
Cloncar Consulting International	Election of Teaching Council Members	14,212
Columb Collins	Adjudication Panel of Courses	5,261
Cynthia Deane — Options Consulting	Preparation of Strategy Statement for NEPS	12,219
Cynthia Deane — Options Consulting	Contracted by the statutory Educational Disadvantage Committee to assist in preparation of its final report	13,600
Datanet Ltd	Support & Advice to Schools Broadband Steering Group	107,769
Denis Healy	Adjudication Panel of Courses	7,383
Dr. Richard Boyle	External Quality Assessor — Expenditure review Initiative	2,904
Dundalk Institute of Technology	Review of Primary/Post Primary Schools Building Programme 2004	17,500
FarrellGrantSparks/A&Lgoodbody	Consultancy Service to achieve contractual and financial close to Cork School of Music PPP Project	447,700
Insight Statistical Consulting Ltd	Survey Analysis for Primary Inspectorate	6,050
Insight Statistical Consulting Ltd	Evaluation of the Impact of ICT on Teaching and Learning in First and Second Level Schools	19,212
John Coolahan	UNESCO 11EP Study Visit	310
John Hayden	Adjudication Panel of Courses	4,267
Knowledge Works	Technical Writers to produce Section 15 Reference Manuals	4,840
Laurence O Ciarain	NEPS/School Protocol in Grievance Cases	1,650
Mazars	Finance Unit Support	4,065
Michael Beirne BL	Local Inquiry under Section 105 of VEC Act 1930	20,033
McCann Fitzgerald Solicitors	Form of Building Contract for use on Design & Build projects	21,175
McIver Consultants	Funding Review of the Youth Sector	71,684
McIver Consultants	Market Research for report of Expenditure Review of ICT Undergraduate Skills Programme	35,439
MORI Ireland	Customer Survey on behalf of the DES Inspectorate	10,318
Theta Eta Advisors Ltd	DES Accounting Review	4,598
Torlach O'Connor	Future Objectives National Report	10,400
Torlach O'Connor	Local Inquiry under Section 105 of VEC Act 1930	23,209
Valarie Considine	Accountant in DES	105,300
	2005 Total	1,135,142

## Year 2006

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Ms Valarie Considine	Employment of an Accountant	106,698
QMP Publicis	Men as Teachers and Educators ad campaign	79,238

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Indecon International Economic Consultants	Appraisal and Management of Capital Expenditure Proposals in the Public Sector	73,205
Mazars	Core Year End & Appropriations Accounts	7,980
Farrell Grant Sparks	Cork School of Music PPP project	96,800
Arthur Cox & Co	PPP Schools Programme First Bundle	74,632
Healy Kelly Turner & Townsend	PPP Schools Programme First Bundle	183,799
Columb Collins	Fees re: Adjudication Panel	5,480
Caroline Hussey	Fees re: Adjudication Panel	3,000
John Hayden	Fees re: Adjudication Panel	2,535
St. Patrick's College Drumcondra	Review of Special Schools and Special Classes	13,565
John McBratney Senior Counsel	Recoupment of expenses to carry out an enquiry	73,526
Insight Statistical Consulting Limited	Evaluation of ICT Uses in Schools	61,450
Brid Mc Grath	Development of a Library Service in NEPS	2,008
Clare Mangan	Psychological Assessments in the area of autism	2,888
Victor McElpatrick	Care Inspections at Children Detention Schools	28,811
Marie-Louise Hughes	Report re: judicial review on Michael Arnold & Sean Murnane	1,000
Pat Ryan	Inquiry under the VEC Acts into performance of a teacher	19,871
McDowell Purcell Partnership Solicitors	Fees re: Legal Advice to Pat Ryan 10/5/06 — 12/7/06	1,770
Parthalan O Cealleachair	Fees, T & S re Appeals Committee	4,843
Jim Lyons	Fees, T & S re Appeals Committee	5,294
Elsbeth Henderson	Fees, T & S re Appeals Committee	4,670
Dermot Morris	Fees, T & S re Appeals Committee	1,484
Theta Eta Advisors Ltd	Fee re Tom Higgins (external member of Dept's Audit Ctte)	3,000
A & L Goodbody	Funding Review of the Youth Sector	17,342
McIver Consultancy	Youth Information Provision Review	6,504
PricewaterhouseCooper	Examination of the application of state funding to MIE for the purpose of Teacher Education and related activities	84,700
	2006 Total:	966,095

## Year 2007

Consultants, Experts, Advisors	Purpose	Total Cost
		€
System Dynamics Solutions Ltd	Work on Department's File Registry System	13,310
Insight Statistical Consultancy	Analysis of Depart's Guidance Questionnaire for Senior Cycle Students in Post primary Schools 06/07	4,971
Mary Immaculate College	Evaluation of the Regional Curriculum Support Service of the Primary Curriculum Support Programme	73,000
Eustace Patterson Ltd	Evaluation of new pilot project re supporting educational needs of students in Youthreach Programme	52,060
Phoenix Safety	Risk Assessment & Safety Statement for Marlborough Street complex 20th to 27th Sept 2007 5 days	4,804

## [Deputy Ruairí Quinn.]

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Horwath Consulting Ireland Ltd	Development of a National English Language Policy & Framework for Legally-Resident adult Immigrants	80,526
Indecon	Final Evaluation of the Leonardo and Socrates Programme I	78,200
Core International	Upgrading the teacher payroll system	1,168
Certification Europe Ltd	Assessment of IT Unit against ISO 27001 — Information Security Management Standard	15,246
Deloitte & Touche	Review of the Service Delivery Capacity of the IT Unit	27,860
McDowell Purcell Partnership	Legal advice given to consultant carrying out inquiry in accordance with S.105 Vocational Education Act	2,541
Eco-Unesco	Research into current Education for Sustainable Development Activities in Ireland and Internationally	23,305
OLM Consultancy	Set up Design Safety Management System for Building Unit and advise on new Health & Safety Regulations	9,307
Sonas Consulting Ltd	Evaluate traveller education worker employed under School Completion Programme	24,180
Road Plan Consulting Limited	Road Safety Audit on schools in Co's Meath and Limerick	2,420
JM Consulting Ltd	Conduct preliminary assessment of submission by Waterford IT re university status	21,298
PricewaterhouseCoopers	The Middletown Centre for Autism (joint funded by DES & Dept.of Education NI)	37,500
Pat Ryan	Review of the Co-operation Hours Scheme with other institutions which the Dept currently operates	17,674
Conor Feeney	Work on Draft Statutory Instrument implementing Professional Qualifications Directive	2,500
Maire Uí Mhaicín	Academic review on the ESRU report An Ghaelige sa Bhunscoil	813
Dr. Nigel Quirke-Bolt	Reading/preparing written report on the ESRU report ICT in Schools; providing oral report to ESRU	1,050
Sean McCann	Review of thresholds re award of a higher level of qualification allowance in respect of certain teachers	7,007
Professor Iseult McCarthy	Review of thresholds re award of a higher level of qualification allowance in respect of certain teachers	16,306
	2007 Total:	517,044

## Year 2008

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Howarth Consulting	ESOL project — dev. Of english language policy for immigrants	35,884
Bearing Point; Deloitte & Touche	Learner Database and Review of IT Unit	56,000
OLM	Development of a Design Safety Management System	3,630
John McGinty; Patrick Dowling; Pat Ryan	Review of Co-operation Hours Scheme	49,000
Prof. Iseult McCarthy and Sean McCann	Review Criteria for Award of Hons Degree Allowance-Specialist Teachers	17,950

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Centre for Cross Border Studies	Report on southern postgrad. students attending NI HEIs	6,030
Eco Unesco	Strategy in relation to Education for Sustainable Development	23,305
Insight Statistical Consultancy	Analysis of Guidance Questionnaire for Senior Cycle Students	4,970
Arthur O'Hagan Solicitors	Fees for legal advice in relation to Inquiry under s. 105 VE Act 1930	5,657
Russel Brennan Keane	Audits of ERDF claims for EU Commission	11,525
Dr. Claire Hayes	Appeal Committee — section 15 of Education (Welfare) Act 2000	811
Pauline Gildea	Review of North/South educational exchanges & mechanisms	5,460
St. Patrick's, Drumcondra	Evaluation of pilot Quality Standards Framework Initiative	29,290
Insight Statistical Consultancy	Analysis of qualifications of workers in childcare sector	26,499
Education Disadvantage Centre, St. Patrick's Durmcondra	Review of Adult Ed. literacy assessment tools	15,000
ESRI Ireland	Dev. of a Geographical Information System for school planning	58,500
John McBratney Solicitors	Independent legal opinion on alleged abuse case	105,517
Integrated Risk Solutions	Development of a risk assessment tool for schools	26,233
Colgan & Associates	Research services re set up of Special Ed. Appeals Board	40,005
Roy McConkey	Evaluation of pilot project at St. Vincent's, Navan Rd.	6,400
Gartner ; Butler	IT research and advice	65,334
Norcontel (Ireland) Ltd	Evaluation of Schools Broadband Access Programme	74,363
ESRI Ireland	Mapping of schools using geocoordinates	5,372
Norcontel (Ireland) Ltd	Advice re evaluation & contract for schools broadband procurement	60,561
	2008 Total:	733,296

## Year 2009

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Norcontel	Schools Broadband Access Programme- Technical, Commercial and Financial Advisor for the Advisor for the Evaluation & Contract Phases of the Procurement of Broadband Internet Connectivity for Schools	33,959
FGS	Review of overhead/indirect costs re work carried out by Bus Eireann on behalf of DES for the administration of the school transport scheme	67,677
Centre for Cross Border Studies	2009 annual review re courses in Northern Ireland	2,430
Gillian Boyd	To evaluate the provision of a post-graduate Diploma in SEN (Autistic Spectrum Disorder) in St Angela's College, Sligo	5,000
Russell Brendan Keane	European Regional development fund-Look Back Exercise	3,742

[Deputy Ruairí Quinn.]

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Gartner	Provision of ICT Research, advice, guidance & related services to the IT Unit	51,030
	2009 Total:	163,838

## Year 2010

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Centre for Cross Border Studies	2010 annual review of Post grad courses in Northern Ireland	2,420
Q Design & Print	Design a new student grant application form, guidance notes & schedules for the 2010/11 academic year	3,361
Gartner	Subscription for provision of ICT research, advice, guidance & related services to the IT Unit	37,026
Ina McGrath	Ergonomic workstation assessment & report	300
Indecon	Mid term review of the Lifelong Learning Programme & prepare a report for Department of Education & Skills for onward transmission to the European Commission	59,284
Deloitte	Declaration of Assurance 2009 Audit — to review procedures & workflows in the National Agencies for the Lifelong Learning Programme & to provide a basis for the yearly Declaration of Assurance from DOES to the EU Commission	16,299
Mazars	Review procedures & workflows in the National Agencies for the Lifelong Learning Programme & to provide a basis for the yearly Declaration of Assurance from the Department of Education & Skills to the EU Commission	4,795
Public Authority Pension Services	Expertise relating to the model public service pension scheme to assist in the establishment of a pension scheme for the NCTE	5,324
	2010 Total:	128,809

## Year 2011

Consultants, Experts, Advisors	Purpose	Total Cost
		€
Sr. Eileen Randles	External Reviewer in an appeal against an inspection under section 13(9) of the Education Act 1998	920
	Total to 31/01/2011:	920

**Schools Building Projects**

241. **Deputy Michael McCarthy** asked the Minister for Education and Skills the position regarding the proposed extension for a school (details supplied) in County Cork; and if his attention has been drawn to the €125,000 cost incurred over the past five years to rent prefabricated accommodation at the school. [22615/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department will be making contact with the school authority referred to by the Deputy. In the context of the matter referred to by the Deputy, it has been necessary for the school to rent temporary accommodation pending the provision of a permanent solution to its needs.

### Departmental Expenditure

242. **Deputy Mary Lou McDonald** asked the Minister for Education and Skills the money saved if all State agency board member payments in his Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22737/11]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The following is a summary of fees paid (2011 rates) to members of Boards of bodies under the aegis of my Department.

- The Chairperson of FÁS receives €20,520, while ordinary members receive €11,790.
- The Chairperson of the Grangegorman Development Agency receives €8,978, while ordinary members do not receive any payment.
- The Chairperson of the Higher Education Authority receives €11,970 while ordinary members receive €7,695.
- The Chairperson of the Skillnets Ltd receives €8,978 while ordinary members receive €5,985.
- The Chairperson of the State Examinations Commission receives €11,970 while the other Commissioners receive €7,695.

As the Deputy will note, none of these payments exceeds €50,000. In addition, no fees are paid to board members in relation to any of the other bodies under the aegis of my Department except as outlined below.

In the case of both the Residential Institutions Redress Board (RIRB) and the Residential Institutions Review Committee (RIRC) ordinary members are paid a per diem rate which in both cases is currently €668 per day (pension abatement applies where appropriate). While it may be the case that fees for ordinary members of both of these bodies could exceed €50,000 p.a. the Deputy should note that the per diem rate paid in respect of both the RIRB and RIRC was the subject of an initial reduction of 8% from 1st March 2009 and a further reduction of 12% from 1st January 2011. The Chairperson of the RIRC is paid by the Department based on annual salary for a Supreme Court judge subject to abatement. The Chairperson of the RIRB is a current member of the Judiciary who is not paid by the Board.

In addition ordinary members of the Commission to Inquire Into Child Abuse (CICA) were salaried — however they are no longer on the payroll while the Chairperson is a member of the judiciary who is not paid by the CICA.

### Public Procurement

243. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the progress made to amend procurement procedures to promote local contractors' tendering for government projects, promote the purchase of booking provided goods and services, and include social clauses to promote the employment of local labour. [21871/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Programme for Government contains a commitment to introduce new legislation to protect small building

[Deputy Brendan Howlin.]

subcontractors that have been denied payments from bigger companies. In addition, you may be aware that the Construction Contracts Bill 2010 was introduced by Senator Feargal Quinn and passed Committee and remaining stages in the Seanad on 8 March 2011. It is now before the Dáil. In this regard, my colleague Minister of State Mr Brian Hayes recently met with Senator Feargal Quinn with a view to continuing a collaborative approach in regard to advancing the Construction Contracts Bill 2010. The Senator's Bill is a welcome initiative and I understand that Minister Hayes has agreed to work closely with the Senator in bringing the matter forward.

I also understand that Minister Hayes and Senator Quinn held a meeting with relevant stakeholders and opposition spokespersons on 28th June. This consultation highlighted a number of matters relating to the Bill that require further consideration. In light of this, a Regulatory Impact Assessment of the Bill is now underway in my Department.

Following these steps, it will be possible to bring proposals to the Government about how we should progress this legislation. It is intended to have the legislation before in the Dáil in the next session.

It is important that a solution to the problem of non-payment in the construction sector must not place an unnecessary regulatory or cost burden on the parties to the dispute, other parties involved in the project, or the State.

### **Pension Provisions**

244. **Deputy Peter Mathews** asked the Minister for Public Expenditure and Reform if he will respond to concerns raised by a person on the issue of public service pensions (details supplied); and if he will make a statement on the matter. [21946/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The last Government decided, in the context of the serious national budgetary position, that retired public service pensioners should make a contribution to the overall required fiscal adjustment. This decision was taken having regard to the gap between the burden being borne by those currently in public service employment (where the pension related deduction (PRD) and pay reduction have impacted) and their retired counterparts.

The measure concerned, known as the Public Service Pension Reduction, was legislated for in the Financial Emergency Measures in the Public Interest Act 2010, which was signed into law by the President on 22 December 2010. Section 2 of that Act provides that the public service pension of a pensioner will be reduced. This provision came into operation on 1 January 2011.

The reduction applies to all public service pensions above €12,000 payable to or in respect of persons retired from all parts of the public service including the civil service, local government, the Defence Forces, An Garda Síochána, non-commercial State Bodies and the health and education sectors.

The measure averages some 4% and is tapered and therefore makes a greater reduction from those with larger public service pensions. Former public servants in receipt of high pensions, including former members of the Government and the Oireachtas and other former office holders, including the Judiciary, will bear the highest reduction.

The reduction applies in a standard manner to public service pensions, whether those pensions are contributory or non-contributory, and whether or not the pensions have been boosted by purchase of added years and whether they are made to the public servant or former public servant or to a survivor. The amount of reduction in each case is determined by application of the following set of annual pension income bands and associated reduction rates:



First €12,000 — 0%;

Between €12,000 and €24,000 — 6%;

Between €24,000 and €60,000 — 9%;

Above €60,000 — 12%.

The reduction in public service pensions should be placed in the context of the general moderation in inflation, i.e. the CPI is now no more than about 1% above 2007 levels, whereas public service pensioners received general round increases linked to pay of 2% in June 2007, 2.5% from March 2008 and 2.5% in September 2008 — an increase of around 7%.

In all the circumstances, including in the context of the EU/IMF Programme of Support, of which the public service pension reduction is an element, the Government believes it is a painful but necessary measure which will help restore order to the public finances.

### **Departmental Expenditure**

245. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform the total amount paid so far to a company (details supplied) for its construction and operation of the National Convention Centre from public funds; and if he will make a statement on the matter. [22010/11]

246. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform the amount paid in 2010 and to date in 2011 to a company (details supplied) under the public private partnership contract terms for the operation of the National Convention Centre; the number of events held in the NCC since it opened; the average attendance; and if he will make a statement on the matter. [22011/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** I propose to take Questions Nos. 245 and 246 together.

The Public Private Partnership Contract referred to provides for the cost of the National Convention Centre/Convention Centre Dublin (NCC/CCD) to be discharged by way of Unitary Charge payments payable over a twenty-five year period. Unitary Charge payments cover the design and construction of the Centre, together with its financing, maintenance and operation over the full twenty-five year Contract period. Payments commenced in September 2010 and totalled €15,403,018 in that year. To date, during 2011, seven Unitary Charge payments, totalling €27,853,791 have issued.

A total of 84,451 visitors have attended the 267 events which have taken place at the NCC/CCD since it opened in August 2010.

### **Oifig na nOibreacha Poiblí**

247. D'fhiafraigh **Timmy Dooley** den Aire Caiteachais Phoiblí agus Athchóirithe an mbeidh fáil ar threoirithe a bhfuil Gaeilge acu ag formhór na láithreán staire faoi stiúir Oifig na nOibreacha Poiblí (OOP) a bheidh ar oscailt agus saorthead isteach iontu ar an gcéad Chéadaoin den mhí, de réir fhógair (sonraí tugtha) ar an 6 Iúil 2011. [22070/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** Faoi Scéim Teanga Oifig na nOibreacha Poiblí 2007-2010, déanann Seirbhísí Cuairteoirí seirbhís duine aonair as Gaeilge a sheachadadh ag Dún Aonghusa, Ionad an Bhlascaoid Mhóir agus Teach an Phiarsaigh.

[Deputy Brian Hayes.]

Is trí mheán na Gaeilge a dhéantar na seirbhísí ag na láithreáin sin a sheachadadh go príomha agus tá na Treoraithe atá ag obair ag na láithreáin sin líofa sa Ghaeilge agus is féidir leo plé le haon riachtanais Ghaeilge a thiocthadh chun cinn. Is í an Ghaeilge an teanga oibre laethúil sna limistéir feidhme sin.

Seachas na trí láithreán liostaithe sin {Dún Aonghusa, Ionad an Bhlascaoid Mhóir agus Teach an Phiarsaigh}, ní chuireann Seirbhísí Cuairteoirí seirbhís treoraithe ar fáil as Gaeilge faoi láthair ag Láithreáin Oidhreacht eile atá faoi chúram Oifig na nOibreacha Poiblí.

In aon chás go bhfaightear iarratas sonrath, áfach, chun turas treoraithe a chur ar fáil trí mheán na Gaeilge ag aon cheann de láithreáin OOP nach bhfuil an Ghaeilge ina teanga oibre laethúil ann, beidh áthas ar OOP freastal ar an iarratas sonrath sin fad is a thugtar dóthain fógra.

### **Economic Competitiveness**

248. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform his plans to address excessive pay in the public and private sectors and in the sheltered professions; and if he will make a statement on the matter. [22181/11]

249. **Deputy Thomas P. Broughan** asked the Minister for Public Expenditure and Reform if he will establish a top pay commission to examine pay and compensation levels across the whole economy and to establish key pay relativities across the public and private sector; and if he will make a statement on the matter. [22182/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 248 and 249 together.

I have no plans to establish a commission to examine levels of pay and establish key pay relativities in the private and public sectors of the economy. Apart from instances where statutory rates of pay apply, pay rates in the private sector are generally a matter for negotiation between individual employers and employees.

With regard to other sectors, the Government is committed to improving the competitiveness of the economy. In this regard the Government under the EU/IMF Programme is removing restrictions as follows. In the legal profession, establishing an independent regulator for the profession and implementing recommendations of the Legal Costs Working Group and outstanding Competition Authority recommendations to reduce legal costs; in medical services, eliminating restrictions on the number of general practitioners qualifying and removing restrictions on those wishing to treat public patients as well as restrictions on advertising; in the pharmacy profession, ensuring that the recent elimination of the 50% mark up paid for medicines under the State Drugs Payments Scheme is enforced. The implementation of these commitments are matters for the Minister for Justice and Equality and the Minister for Health respectively in the first instance.

My responsibilities in relation to pay extend to the public service where the Government has a direct role in the determination of pay rates as employer. Pay rates in the public service have already been reduced by up to 15% and a progressive pension related reduction applied through the Financial Emergency Measures in the Public Interest Acts of 2009. More recently, the Government accepted my proposals to introduce a general pay ceiling of €200,000 for future appointments to higher positions across the public service, a general pay ceiling of €250,000 for future appointments to CEO posts within Commercial State Companies and a voluntary waiver

system of up to 15% for current post holders who have salaries in excess of the relevant pay ceiling.

### Exchequer Savings

250. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all ministerial pay was capped at €100,000 per annum. [22183/11]

251. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all Minister of State pay was capped at €100,000 per annum. [22184/11]

256. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all Deputies' salaries were capped at €75,000 per annum. [22189/11]

257. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all Senators salaries' were capped at €60,000 per annum. [22190/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 250, 251, 256 and 257 together.

I refer to my reply to Question No. 21065/11 of 19 July.

252. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all Government special advisers pay was capped at €60,000, €80,000 and €100,000 per annum in a tabular format. [22185/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** According to the Guidelines on Staffing of Ministerial Offices issued by the Department of Public Expenditure and Reform in March 2011 Special Advisors are to be placed on the Principal Officer (standard) scale. Appointments are generally required to be at the minimum of the scale.

The approval for Special Advisor posts is not fully finalised in all instances, though I expect it to be completed shortly. On that basis I will get back to the Deputy with the details of actual pay approved as she has requested as soon as possible.

253. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if the maximum salary of all public servants were capped at €100,000 per annum. [22186/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I refer to the reply by my colleague the Minister for Finance to Question Nos. 18587, 18588 and 18586 taken together on 5 July 2011.

254. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if the maximum salary of all chief executive officers of commercial semi-State bodies were capped at €100,000 per annum. [22187/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The estimated full year saving if the maximum salary of all Chief Executive Officers of commercial State companies were capped at €100,000 per annum is approximately €3 million.

255. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money figure saved if the maximum salary of all State agency bodies senior management were capped at €100,000 per annum. [22188/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Government supports a strong policy of pay restraint in the public service. The Deputy will be aware that the Government recently announced a general pay ceiling of €200,000 in the public service which included non-commercial State sponsored bodies/agencies.

I have no plans, nor am I currently examining the effect of, the introduction of a unilateral pay cap at €100,000 for senior management of non-commercial state agencies. Pay rates for this sector will be set in accordance with general Government pay policy for the general public service.

*Questions Nos. 256 and 257 answered with Question No. 250.*

258. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all State agency board member payments were reduced by €10,000 where their current annual payment is in excess of €50,000. [22191/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I am not aware of any instance in which the annual fee payable to a State agency board member exceeds €50,000 euros.

259. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all public representative expenses were reduced by 10%, 20%, 30%, in tabular format [22196/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The following tables set out the position on the various reduced public representative expenses rates.

Ministerial Motor Travel Rates

Under 6437 km	Current	10% reduction	20% reduction	30% reduction
0 — 1200cc	39.12 cent	35.21 cent	31.30 cent	27.38 cent
1201 — 1500cc	46.25 cent	41.63 cent	37.00 cent	32.38 cent
1501 — 2000 cc	59.07 cent	53.16 cent	47.26 cent	41.35 cent
over 2000 cc	70.89 cent	63.80 cent	56.71 cent	49.62 cent

Over 6437 km	Current	10% reduction	20% reduction	30% reduction
0 — 1200cc	21.22 cent	19.10 cent	16.98 cent	14.85 cent
1201 — 1500cc	23.62 cent	21.26 cent	23.62 cent	16.53 cent
1501 — 2000 cc	28.46 cent	25.61 cent	22.77 cent	19.92 cent
over 2000 cc	34.15 cent	30.74 cent	27.32 cent	23.91 cent

Ministerial Subsistence Rates [Ministers may also vouch the cost of accommodation]

	Current	10% reduction	20% reduction	30% reduction
24 hour	€72.66	€65.39	€58.13	€50.86
10 hour	€33.61	€30.25	€26.89	€23.53
5 hour	€13.71	€12.34	€10.97	€9.60

## Travel and accommodation allowance [not available to Ministers]

## Deputy

Band	Current	10% reduction	20% reduction	30% reduction
Dublin	€12,000	€10,800	€9,600	€8,400
1	€28,106	€25,295	€22,485	€19,674
2	€30,350	€27,315	€24,280	€21,245
3	€31,850	€28,665	€25,480	€22,295
4	€32,966	€29,669	€26,373	€23,076
5	€33,350	€30,015	€26,680	€23,345
6	€33,722	€30,350	€26,978	€23,605
7	€34,094	€30,685	€27,275	€23,866
8	€34,850	€31,365	€27,880	€24,395
9	€35,594	€32,035	€28,475	€24,916
10	€36,350	€32,715	€29,080	€25,445
11	€37,106	€33,395	€29,685	€25,974
12	€37,850	€34,065	€30,280	€26,495

## Senators

Band	Current	10% reduction	20% reduction	30% reduction
Dublin	€7,000	€6,300	€5,600	€4,900
1	€23,106	€20,795	€18,485	€16,174
2	€25,350	€22,815	€20,280	€17,745
3	€26,850	€24,165	€21,480	€18,795
4	€27,966	€25,169	€22,373	€19,576
5	€28,350	€25,515	€22,680	€19,845
6	€28,722	€25,850	€22,978	€20,105
7	€29,094	€26,185	€23,275	€20,366
8	€29,850	€26,865	€23,880	€20,895
9	€30,594	€27,535	€24,475	€21,416
10	€31,350	€28,215	€25,080	€21,945
11	€32,106	€28,895	€25,685	€22,474
12	€32,850	€29,565	€26,280	€22,995

## Oireachtas Office Holders

Band	Current	10% reduction	20% reduction	30% reduction
Dublin	€8,400	€7,560	€6,720	€5,880
1	€24,457	€22,011	€19,566	€17,120
2	€27,150	€24,435	€21,720	€19,005
3	€28,950	€26,055	€23,160	€20,265
4	€30,289	€27,260	€24,231	€21,202
5	€30,750	€27,675	€24,600	€21,525
6	€31,196	€28,076	€24,957	€21,837
7	€31,643	€28,479	€25,314	€22,150
8	€32,550	€29,295	€26,040	€22,785

## [Deputy Brendan Howlin.]

Band	Current	10% reduction	20% reduction	30% reduction
9	€33,443	€30,099	€26,754	€23,410
10	€34,350	€30,915	€27,480	€24,045
11	€35,257	€31,731	€28,206	€24,680
12	€36,150	€32,535	€28,920	€25,305

## Public Representation Allowance [PRA]

PRA	Current	10% reduction	20% reduction	30% reduction
TD Min	€15,000	€13,500	€12,000	€10,500
TD Max	€27,500	€24,750	€22,000	€19,250
Senator Min	€9,250	€8,325	€7,400	€6,475
Senator Max	€15,000	€13,500	€12,000	€10,500
Minister Min	€12,000	€10,800	€9,600	€8,400
Minister Max	€20,000	€18,000	€16,000	€14,000

## One off Constituency Office grant

	Current	10% reduction	20% reduction	30% reduction
Amount	€8,000	€7,200	€6,400	€5,600

260. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the money saved if all senior civil servant expenses were reduced by 10%, 20%, 30% in tabular format. [22197/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** My Department has responsibility for setting the actual rates for various expense allowances payable to civil servants including senior civil servants. The following tables set out the position on the various reduced rates payable to senior civil servants.

## Motor Travel Rates

Under 6,437 km	Current	10% reduction	20% reduction	30% reduction
0 — 1200cc	39.12 cent	35.21 cent	31.30 cent	27.38 cent
1201 — 1500cc	46.25 cent	41.63 cent	37.00 cent	32.38 cent
over 1500 cc	59.07 cent	53.16 cent	47.26 cent	41.35 cent

Over 6,437 km	Current	10% reduction	20% reduction	30% reduction
0 — 1200cc	21.22 cent	19.10 cent	16.98 cent	14.85 cent
1201 — 1500cc	23.62 cent	21.26 cent	23.62 cent	16.53 cent
over 1500 cc	28.46 cent	25.61 cent	22.77 cent	19.92 cent

Reduced Mileage	Current	10% reduction	20% reduction	30% reduction
0 — 1200cc	14.64 cent	13.18 cent	11.71 cent	10.25 cent
1201 — 1500cc	16.64 cent	14.98 cent	13.31 cent	11.65 cent
over 1500 cc	19.49 cent	17.54 cent	15.59 cent	13.62 cent

Subsistence	Current	10% reduction	20% reduction	30% reduction
Overnight	€108.99	€98.09	€87.19	€76.29
10 hour	€33.61	€30.25	€26.89	€23.53
5 hour	€13.71	€12.34	€10.97	€9.60

## Expenses incurred by Secretary Generals

	Annual Certified amount	10% reduction	20% reduction	30% reduction
Secretary General	€750.00	€675.00	€600.00	€525.00
Second Secretary	€317.40	€285.66	€253.92	€222.18

## Official Entertainment Allowances [Amounts below are the limits currently provided for Secretary Generals and Assistant Secretaries]

	Current rate	10% reduction	20% reduction	30% reduction
Dinner	€50.79	€45.71	€40.63	€35.55
Lunch	€38.09	€34.28	€30.47	€26.66

## Official Entertainment for other grades

	Current rate	10% reduction	20% reduction	30% reduction
Dinner	€44.44	€40.00	€35.55	€31.11
Lunch	€31.74	€28.57	€25.39	€22.22

## When standing in for a Minister

	Current rate	10% reduction	20% reduction	30% reduction
Reception	€12.70	€11.43	€10.16	€8.89

**Departmental Staff**

261. **Deputy Mary Lou McDonald** asked the Minister for Public Expenditure and Reform the number of whole time equivalent temporary agency workers employed the public sector in the first six months of 2011. [22218/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Information on the number of agency staff employed in the public sector is not reported to the Department of Public Expenditure and Reform. However, I should point out that the employment of agency staff would be subject to the terms of the public service moratorium on recruitment. Details of numbers of agency staff should be sought from individual Departments. In relation to my own Department no agency staff are employed.

### Heritage Sites

262. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform his views on criticism of a professor (details supplied) on the way Departments neglect and under utilise the tourism potential of some of our most important heritage sites. [22230/11]

263. **Deputy Pádraig Mac Lochlainn** asked the Minister for Public Expenditure and Reform his views on the criticism of a professor (details supplied) on the way that Government Departments neglect and under utilise the tourism potential of some of our most important heritage sites and if it tallies with the experience of those who have campaigned for the enhancement of facilities at Grianán of Aileach stone fort in County Donegal with its history comparable in importance with the Hill of Tara. [22231/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** I propose to take Questions Nos. 262 and 263 together.

Since taking up office as Minister with responsibility for the Office of Public Works I have been addressing, in a pro-active manner, the potential for the further development and enhancement of tourism using our national heritage sites and monuments. To date I have visited a large number of heritage sites and I will continue to travel around the country to visit other sites and to hold discussions with local groups and communities who are interested in the development of tourism using our national wealth of built heritage.

I have recently instructed my officials to produce proposals that will allow local organisations, working in partnership with the OPW, to help to transform tourism potential in their area by working in partnership with the OPW in the presentation of these sites. There will always be public liability, health and safety and industrial relations issues attached to decisions like this but we can address these and work towards providing solutions to these challenges in order to make progress. I have invited community groups to submit proposals on the future development and use of heritage sites and we will evaluate those proposals as I am looking to set up a number of pilot projects to work in partnership with the OPW in the presentation of heritage sites.

Referring specifically to the Monasterboice site: a conservation study was commissioned jointly by Louth County Council, the Office of Public Works and the National Monuments Service of the Department of the Environment, Heritage and Local Government.

The recommendations suggested by this study will be considered by a group consisting of Louth County Council, the National Monuments service of the Department of Arts, Heritage and the Gaeltacht and the Office of Public Works. We are now moving towards the implementation of these recommendations and the process of setting up an implementation group has already commenced. There is a need to view this site in a holistic manner, which includes signage with all the stakeholders included in the process.

In relation to the Grianán in Aileach stone fort; there has been a history of collapses to different sections of the wall at the fort dating back to at least the 1800's. and the OPW workforce has undertaken re-instatement works on a number of occasions as a result.

There is an ongoing program of conservation and preservation at this site and right through the process of consolidating the monument, the OPW has ensured that the site remained open



to all tourists. There is a joint access arrangement with Donegal County Council with regard to the car park at the site, which is under their care, and there has always been a good working arrangement between OPW, the Local Authority and also the local Community.

### Public Investment Projects

264. **Deputy Ciara Conway** asked the Minister for Public Expenditure and Reform the progress that has been made to the new development plan reflecting Ireland's changed economic circumstances covering the seven-year period, 2012 to 2019; when such a document will be published; the key stakeholders in this plan; the way they will be engaged; and if he will make a statement on the matter. [22234/11]

272. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the work completed to date in drafting a comprehensive study of Ireland's public investment priorities. [21164/11]

275. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the position regarding the programme for the re-prioritising of capital funding for smaller projects. [21169/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I propose to take Questions Nos. 264, 272 and 275 together.

The Review of Capital Expenditure is currently underway and is running in parallel with the Comprehensive Review of Expenditure. It is intended that the review will be completed in the autumn. Programmes and projects that support economic recovery, or address urgent social needs will be at the core of the capital review. This review will inform how we our prioritise capital investment programmes in future years.

### Departmental Expenditure

265. **Deputy Michael McGrath** asked the Minister for Public Expenditure and Reform if he will provide the details of the budget allocated to capital expenditure in tabular form; the amount spent in tabular form; the amount carried forward for each of the years 2008, 2009, 2010 and to date in 2011 in tabular form; and if he will make a statement on the matter. [22291/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Details of capital allocations, outturns and capital carryover are outlined in the attached table as requested. It should be noted that, as 2008 and 2009 expenditure figures are from the appropriation accounts for the years in question, they incorporate expenditure on capital carryover from previous year. 2010 Expenditure figures are provisional outturn figures to which expenditure on capital carryover from the previous year has been added. 2011 expenditure is based on quarter 1 (to end March) returns of expenditure

Year	€ millions		
	Allocation	Expenditure	Carryover to next year
2008 (Incorporating July expenditure reductions)	8,915	9,011	128
2009 (Supplementary Budget)	7,905	7,333	126
2010 (Revised Estimates)	6,430	6,381	14
2011 (Revised Estimates)	4,690	616	n/a

### Proposed Legislation

266. **Deputy John McGuinness** asked the Minister for Public Expenditure and Reform if he has consulted all parties concerned regarding the Construction Contracts Bill 2010; his intentions relative to this Bill; the way he intends to proceed; and if he will make a statement on the matter. [22321/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Programme for Government contains a commitment to introduce new legislation to protect small building subcontractors that have been denied payments from bigger companies. In addition, you may be aware that the Construction Contracts Bill 2010 was introduced by Senator Feargal Quinn and passed Committee and remaining stages in the Seanad on 8 March 2011. It is now before the Dáil.

In this regard, my colleague Minister of State Mr. Brian Hayes recently met with Senator Feargal Quinn with a view to continuing a collaborative approach in regard to advancing the Construction Contracts Bill 2010. The Senator's Bill is a welcome initiative and I understand that Minister Hayes has agreed to work closely with the Senator in bringing the matter forward.

I also understand that Minister Hayes and Senator Quinn held a meeting with relevant stakeholders and opposition spokespersons on 28th June. This consultation highlighted a number of matters relating to the Bill that require further consideration. In light of this, a Regulatory Impact Assessment of the Bill is now underway in my Department.

Following these steps, it will be possible to bring proposals to the Government about how we should progress this legislation. It is intended to have the legislation before in the Dáil in the next session.

It is important that a solution to the problem of non-payment in the construction sector must not place an unnecessary regulatory or cost burden on the parties to the dispute, other parties involved in the project, or the State.

### Heritage Sites

267. **Deputy Bernard J. Durkan** asked the Minister for Public Expenditure and Reform the number of visitors annually attending at the 20 most popular heritage sites in the country; and if he will make a statement on the matter. [22437/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** In 2010, the total number of visitors attending the 20 most popular Heritage Sites in the country was about 2 million. Some sites such as Glenveagh and Muckross House are under the auspices of the Department of Arts, Heritage and the Gaeltacht and from returns available to the Office of Public Works, these sites recorded 146,000 visitors in 2010.

Visitor Returns for 2010 show a small decrease {0.06%} when compared to the 2009 data. This, however, was an excellent performance given that tourist numbers in general were down.

In early 2010, the volcanic ash cloud affected all sites, with a greater impact on the larger sites where foreign Tour Groups were unable fly into the country and take up their bookings. The exceptionally bad weather at the beginning of the year also had an impact.

All sites were open on a seven-day week basis throughout the peak tourist season. However, due to resources constraints, it was necessary to shorten the season at some sites.

This year, the number of visitors to the Rock of Cashel has increased as a direct result of the recent very successful Royal visit to the site.

I introduced an initiative recently giving the individual visitor free admission on the first Wednesday of every month for the rest of the year to all OPW-managed fee-paying Heritage Sites. It is my hope that this will encourage a greater interest in our built heritage by a wider audience both tourist and all communities living in Ireland and that people will be motivated to return sometime in the future to learn more.

### Public Service Contracts

268. **Deputy Joanna Tuffy** asked the Minister for Public Expenditure and Reform the position regarding a promised construction contracts Bill to address the situation regarding subcontractors that have not received moneys for construction works carried out; the contents of this Bill; and if he will make a statement on the matter. [22462/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Guidelines from my Department require that public bodies conduct the public procurement function in a way that facilitates and does not place barriers to participation of small and medium enterprises. As one measure to achieve this, the guidance advises that the sub-dividing of procurement requirements into “lots” should be considered by contracting authorities where it would be appropriate and practical and can be done without compromising efficiency and value for money.

As regards promoting employment of local labour, the award of public contracts is governed by EU Treaty principles and Directives on public procurement. The provisions of the EU Directives allow contracting authorities to attach social conditions to the performance of contracts, provided these are compatible with EU law. In this regard, EU law requires that such conditions must be made known to all interested parties and must not restrict participation by contractors from other Member States. Specifying such conditions is a matter for the contracting authority concerned, having regard to the foregoing considerations.

### Departmental Staff

269. **Deputy Michael McCarthy** asked the Minister for Public Expenditure and Reform the expenses incurred by Office of Public Works staff members in each of the years 2006, 2007, 2008, 2009 and 2010 in tabular form; the amount incurred each year by individuals employed in the office’s architectural service, flood risk management service, heritage service and national procurement service; the location and full title and position of the top five claimants in respect of expenses incurred in 2010; and if he will make a statement on the matter. [22504/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** The amount of expenses incurred by staff of the Office of Public Works in each of the years 2006 to 2010 inclusive; the amount incurred in each year by staff in the Office’s Architectural Services, Flood Risk Management, Heritage Services, the National Procurement Service and the location and full title of the top five claimants in respect of expenses incurred in 2010 are set out in the following tables.

Expenses for OPW Staff from 01-01-06 to 31-12-10

	2006	2007	2008	2009	2010
Total Expenses	€3,690,283	€3,903,187	€4,400,269	€3,444,121	€3,484,538

[Deputy Brian Hayes.]

Breakdown for certain areas from 01-01-06 to 31-12-10

	2006	2007	2008	2009	2010
Architectural Services	€265,966	€266,536	€332,568	€164,471	€156,276
Flood Risk Management	€1,454,624	€1,575,030	€1,786,187	€1,618,987	€1,671,016
Heritage Services	€726,125	€723,858	€795,100	€662,519	€662,567
National Procurement Service				€8,960	€44,085
Total	€2,446,715	€2,565,424	€2,913,855	€2,454,937	€2,533,944

List of Top Five Claimants for 2010

Location	Title	Amount
Architectural Services	Senior Architect	€17,988
Engineering Services	Service Manager	€16,077
Architectural Services	Senior Architect	€15,926
Heritage Services	District Works Manager	€15,901
Heritage Services	Foreman 1	€15,806

### Garda Stations

270. **Deputy Pearse Doherty** asked the Minister for Public Expenditure and Reform when a decision will be made in relation to the tenders that were advertised for a Garda station in Bunbeg, County Donegal. [22538/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** The Office of Public Works advertised in the media seeking a site locally for a new Garda Station in Bunbeg and have received a number of replies.

Sites have been assessed for suitability and the OPW are now in a position to commence negotiations with the site owners.

The acquisition of a site at Bunbeg will depend on various factors, crucially the availability of funds which, as you can appreciate in the current difficult climate, are extremely limited.

### Flood Prevention Measures

271. **Deputy Jerry Buttimer** asked the Minister for Public Expenditure and Reform the flood prevention measures that have been taken locally by Government agencies, in view of the fact that insurance companies are writing to residents in areas representing a higher than standard flood risk and asking them to confirm the flood prevention measures that have been taken locally by State agencies; if such measures have not been taken; if his attention has been drawn to the fact that the insurance companies are requesting that residents carry out extensive works to their homes and to accept responsibility for the first €2,500 of any flood claim; and if any flood prevention measures have been undertaken downstream of the Inniscarra Dam on the River Lee in County Cork. [22550/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** It is the position of the Office of Public Works that the flood defence works undertaken, or funded, by the OPW should always be taken into account in the provision and cost of flood insurance.

Under the Minor Flood Mitigation Works & Coastal Protection Scheme funding may be provided by the Office of Public Works to local authorities, to undertake minor flood mitigation measures to address localised flooding and coastal erosion problems within their administrative areas.

In the period 2010-2011 OPW has funded approximately €2.4m under the Minor Works scheme to both the City and County Councils in respect of the Cork city area. Some €900,000 of this funding has been provided to Cork City Council to commission works for the repair of the quay walls which were breached in the 2009 flood event.

The major flood relief study on the River Lee catchment is being finalised at present. Following completion of the study it is proposed to engage consultants to carry out detailed design of the lower Lee flood defence works and to examine possible changes in operational procedures for Inniscarra dam.

In the meantime, the OPW continues to review operational protocols with the ESB in respect of outflows controlled by them in the Lee river catchment. In this regard, following a request from the OPW, ESB put in place interim measures, prior to the implementation of the CFRAMS process, on a pilot basis for the winter period 2010-2011, to provide additional flood protection downstream of Inniscarra. This involved reducing the spill level in Inniscarra and Carrigadrohid by 0.5m.

I met, earlier this month, with representatives of the Irish Insurance Federation (IIF) to review the interchange of information sharing between the OPW and the insurance industry with a view to ensuring that the industry is fully cognisant of the substantial capital investment made by the State in flood prevention measures over many years, both in respect of major and minor works.

The OPW is in the process of supplying detailed mapping of areas nationally which have benefitted from capital flood works. In addition the IIF has agreed to take up membership of the national stakeholder group of the Catchment Flood Risk, Assessment and Management programme to be established later this year.

The IIF has reassured me that the vast majority of properties are covered by flood insurance at present.

To this end, my Office will continue its liaison with the Irish Insurance Federation in 2011 and will endeavour to assist in any practical way with keeping the IIF fully informed as to its various programmes of flood alleviation, which should be taken into account in informing applications for flood insurance.

*Question No. 272 answered with Question No. 264.*

### **Programme for Government**

273. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform when he will be in a position to sell the non-strategic State assets; and if the target is still €2 billion. [21168/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Deputy's question refers to the commitment in the Programme for Government to sell non-strategic assets up to a value of €2 billion to fund investment in key networks of the economy. This will occur when market conditions are right and when adequate regulatory structures have been established to protect consumer interests. Following publication of the Report of the Review Group on State Assets and Liabilities in April, my Department sought the considered views of relevant Departments on the Review Group's recommendations. Having considered these

[Deputy Brendan Howlin.]

views, I intend to bring proposals to Government shortly on the matter. Under the EU/IMF Programme, the Government has agreed to discuss its plans with the European Commission, the IMF and the ECB when it has finalised its response to the Review Group Report. This is to take place by the end of the year.

### Job Creation

274. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the action he has taken to accelerate capital works that are shovel-ready and other labour-intensive projects, recognising that a public works programme can play an important role in any job creation strategy. [21152/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As the Deputy is aware, the Minister for Finance recently announced this Government's Jobs Initiative. The Initiative provided for a further €30 million for school works and associated works in 2011 over the existing allocation. Some €20 million of this is being reallocated by the Minister for Education and Skills from within his own Department's allocation. A further €10 million of Exchequer funding has been made available to the Department from the proceeds of the new pension levy also announced in the Initiative. This is to be allocated to immediately-ready projects to be delivered by schools. The Initiative also provided for an additional €60 million to be reallocated from within the Minister for Transport, Tourism and Sport's overall allocation to invest in our regional and local roads to carry out much-needed surface restoration and road reconstruction works. This important, remedial work is overdue and the additional money invested will allow local authorities to bring forward important projects to 2011 that had previously been pushed back to 2012.

We are currently undertaking a major review across Government of our capital investment programme with a view to ensuring that allocations are prioritised towards those capital projects and programmes that will maximise economic benefits to the state, promote sustainable jobs growth in the medium term and address immediate and urgent social deficits.

*Question No. 275 answered with Question No. 264.*

### Departmental Properties

276. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the numbers and locations of his Department's buildings that are currently in upward-only rent review contracts; the cost of rents for 2008, 2009, 2010 and the expected rents for 2011. [21915/11]

277. **Deputy Peadar Tóibín** asked the Minister for Public Expenditure and Reform the numbers and locations of buildings his Department leases that are in upward-only rent contracts; the amount of rent for 2008, 2009, 2010 and the expected rent for 2011. [21916/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** I propose to take Questions Nos. 276 and 277 together.

The Office of Public Works (OPW) has 462 leases, of which 159, with a total rental yearly value of €58,080,640 attract the upward only rent review clause. OPW are collating information and will write directly to the Deputy with regard to the expenditure values for the four years in question and the Department/Office occupancy details attaching to each of these leases.

The table below schedules these leases with County, Location, Building and Rent per annum.

County	Location	Building	Rent PA
CARLOW	CARLOW	Carlow Temp Decent Off (D/ETE)	369,436
CLARE	CRUSHEEN	Crusheen GS + MQ	25,000
CLARE	KILRUSH	Kilrush Decentral. Revenue Off.	85,050
CORK	BANTRY	Bantry SWO — 7 Main Street	24,000
CORK	BLARNEY	Blarney GS	26,750
CORK	CARRIGALINE	Carrigaline DSFA Office	103,940
CORK	CORK	Cork C&E Centre Park House	48,000
CORK	CORK	Cork C&E Centre Park House	43,940
CORK	CORK	Cork C&E Centre Park House	110,000
CORK	CORK	Cork Environment Office	76,774
CORK	CORK	Cork Gov Off Doughcloyne	42,158
CORK	CORK	Cork Gov Off Irish Life Bldg	61,448
CORK	CORK	Cork Gov Off Irish Life Bldg	69,915
CORK	CORK	Cork Marine Office	53,320
CORK	CORK	Cork Marine Office	58,500
CORK	CORK	Cork SWO — ESB Premises	120,000
CORK	FERMOY	Fermoy SWO — Connolly Street	15,300
DONEGAL	BALLYSHANNON	Ballyshannon Maritime Office	25,000
DONEGAL	DONEGAL	Donegal D.T.C.	23,260
DONEGAL	LETTERKENNY	Letterkenny Driving Test Centre	15,000
DUBLIN	BALBRIGGAN	Balbriggan Passport Office	553,670
DUBLIN	CABINTEELY	Cabinteely GS	34,000
DUBLIN	DUBLIN 01	Abbey Street Upper 26 — 30	672,176
DUBLIN	DUBLIN 01	Abbey Street Upper 26 — 30	1,206,097
DUBLIN	DUBLIN 01	Abbey Street Upper 26 — 30	994,570
DUBLIN	DUBLIN 01	Abbey Street Upper 26 — 30	211,542
DUBLIN	DUBLIN 01	Arran Quay (Arran Court)	165,337
DUBLIN	DUBLIN 01	Capel Street 89 -94	689,322
DUBLIN	DUBLIN 01	Gardiner Street Upper 77	201,190
DUBLIN	DUBLIN 01	Great Strand St Millennium Hse	265,675
DUBLIN	DUBLIN 01	Irish Life Centre Block 2	1,335,000
DUBLIN	DUBLIN 01	Irish Life Centre Block 5/7	1,110,000
DUBLIN	DUBLIN 01	Irish Life Centre Block D E & F	900,000
DUBLIN	DUBLIN 01	Kings Inn House SWO	558,200
DUBLIN	DUBLIN 01	Kings Inn House SWO	208,275
DUBLIN	DUBLIN 01	Parnell Sq 16	1,493,645
DUBLIN	DUBLIN 02	Adelaide Road 29-31	2,970,000
DUBLIN	DUBLIN 02	Bishops Square	1,120,000
DUBLIN	DUBLIN 02	Bishops Square	1,495,500
DUBLIN	DUBLIN 02	Bishops Square	1,525,000
DUBLIN	DUBLIN 02	Clare Street 12	112,500
DUBLIN	DUBLIN 02	Clonmel Street. [Clonmel Place]	804,500
DUBLIN	DUBLIN 02	Earlsfort Terrace Earl Ctr Blk	195,000
DUBLIN	DUBLIN 02	East Essex Street Dolphin House	655,000
DUBLIN	DUBLIN 02	Ely Place 7-8 Ely Court	711,323
DUBLIN	DUBLIN 02	Harcourt Road Dun Sceine	850,000
DUBLIN	DUBLIN 02	Harcourt Sq Garda Block 1	1,300,000

[Deputy Brian Hayes.]

County	Location	Building	Rent PA
DUBLIN	DUBLIN 02	Harcourt Sq Garda Block 2	1,832,500
DUBLIN	DUBLIN 02	Harcourt Sq Garda Block 3	1,278,800
DUBLIN	DUBLIN 02	Harcourt Sq Garda Block 4	417,250
DUBLIN	DUBLIN 02	Harcourt St Harcourt Centre Blk 2	228,500
DUBLIN	DUBLIN 02	Holles Street Holbrook House	174,000
DUBLIN	DUBLIN 02	Leeson Street Lower Ossory House	900,000
DUBLIN	DUBLIN 02	Lombard St East 8 — 11 Joyce Hse	560,000
DUBLIN	DUBLIN 02	Merrion Row 2 — 4	472,500
DUBLIN	DUBLIN 02	Molesworth Bldg Setanta Centre	114,388
DUBLIN	DUBLIN 02	Molesworth Bldg Setanta Centre	2,267,000
DUBLIN	DUBLIN 02	Mount St Lr 73-79 Ballaugh House	933,500
DUBLIN	DUBLIN 02	Mount St Upr 36	200,000
DUBLIN	DUBLIN 02	Nassau Building Setanta Centre	469,680
DUBLIN	DUBLIN 02	Revenue Castlevue Georges st	1,827,522
DUBLIN	DUBLIN 02	St Stephens Gr 94	612,000
DUBLIN	DUBLIN 02	St Stephens Gr 94	408,000
DUBLIN	DUBLIN 02	Tara Street Apollo House	453,120
DUBLIN	DUBLIN 02	Tara Street Apollo House	560,750
DUBLIN	DUBLIN 04	Shelbourne Rd 21 Shelbourne Hse	1,018,000
DUBLIN	DUBLIN 04	Waterloo Road St Martins House	570,000
DUBLIN	DUBLIN 05	Raheny DTC	60,000
DUBLIN	DUBLIN 06	Canal Road (Canal House)	370,000
DUBLIN	DUBLIN 07	Bow Street Gov Office	450,000
DUBLIN	DUBLIN 07	Navan Road Ashtowngate Block B	254,401
DUBLIN	DUBLIN 07	North Circular Road Park House	92,778
DUBLIN	DUBLIN 07	Nth King St 90 Georges Court	1,353,509
DUBLIN	DUBLIN 07	Nth King St 90 Georges Court	655,940
DUBLIN	DUBLIN 07	Ormond Quay Ormond House	282,750
DUBLIN	DUBLIN 07	Richmond Hospital Courts	525,000
DUBLIN	DUBLIN 07	Richmond Hospital Courts	31,743
DUBLIN	DUBLIN 07	Smithfield Off of Film Class	255,955
DUBLIN	DUBLIN 08	Conyngham Road Phoenix House	365,000
DUBLIN	DUBLIN 08	Garden Lane Prob/Welfare Off	55,980
DUBLIN	DUBLIN 08	Mountshannon Rd Fur Br Off Block	460,000
DUBLIN	DUBLIN 08	The Chancery Building	543,880
DUBLIN	DUBLIN 09	Airways Industrial Estate	290,000
DUBLIN	DUBLIN 10	Ballyfermot Prob & Wel Service	39,500
DUBLIN	DUBLIN 11	Finglas Driv Test Ctr+Rev Store	45,520
DUBLIN	DUBLIN 11	Finglas Finance Storage	72,500
DUBLIN	DUBLIN 11	Finglas Prob&Welfare Service	66,000
DUBLIN	DUBLIN 11	Jamestown Business Park Unit 38	231,000
DUBLIN	DUBLIN 11	Finglas Driving Test Yard	120,000
DUBLIN	DUBLIN 12	Park West Business Park Block 43	212,586
DUBLIN	DUBLIN 12	Park West Ind Est Unit 4	180,000
DUBLIN	DUBLIN 15	Blanchardstown Gov Off	638,678
DUBLIN	DUBLIN 18	Sandyford Furze Road	255,000
DUBLIN	DUBLIN 22	Clondalkin SWO Ninth Lock Rd	215,000



County	Location	Building	Rent PA
DUBLIN	DUBLIN 24	Tallaght PIAB	188,554
DUBLIN	DUBLIN 24	Tallaght Gda Vehicle Pound	1,000,000
DUBLIN	DUN LAOGHAIRE	Dun Laoghaire Prob&Welfare Serv	85,999
DUBLIN	MALAHIDE	Malahide SWO	15,872
DUBLIN	SWORDS	Swords Agricultural Inspectors	8,253
DUBLIN	SWORDS	Swords Business Campus Unit 4	634,853
DUBLIN	SWORDS	Swords Business Campus Unit 5/6A	231,444
DUBLIN	SWORDS	Swords Business Campus Unit 5/6C	173,227
DUBLIN	SWORDS	Swords Business Campus Unit 5/6D	181,491
GALWAY	GALWAY	Galway DAF Dockgate	922,250
GALWAY	GALWAY	Galway Gov Off Hynes Building	222,425
GALWAY	GALWAY	Galway Irish Water Safety	41,722
GALWAY	GALWAY	Galway Liosbaun Garda Unit 1B	25,988
GALWAY	GALWAY	Galway Prob & Wel Serv	31,144
GALWAY	GALWAY	Galway Prob & Wel Serv	42,335
GALWAY	LOUGHREA	Galway Millenium House	19,408
GALWAY	LOUGHREA	Loughrea Trans & RSA Temp Off	31,225
GALWAY	LOUGHREA	Loughrea Trans & RSA Temp Off	56,188
GALWAY	LOUGHREA	Loughrea Trans & RSA Temp Off	51,838
KERRY	KILLARNEY	Killarney D.T.C.	40,000
KERRY	LISTOWEL	Listowel Revenue Office	244,924
KERRY	TRALEE	Tralee Agric Warehouse	18,325
KILDARE	NAAS	Naas Agric Off — Poplar House	95,696
KILDARE	NAAS	Naas SWO — Rathasker Square	23,000
KILDARE	NAAS	Willow Hse Millennium Pk Block 6	119,163
LAOIS	PORTARLINGTON	Portarlington Decentral Office	73,500
LAOIS	PORTLAOISE	Portlaoise Agri Records	98,133
LAOIS	PORTLAOISE	Portlaoise Agric Warehouse	107,919
LAOIS	PORTLAOISE	Portlaoise DAF Appeals Office	84,051
LEITRIM	CARRICK ON SHANNON	Carrick-on-Shannon Dcnt SWO	800,000
LIMERICK	LIMERICK	Limerick Decent Off DFA	900,000
LIMERICK	LIMERICK	Limerick Gov Off Houston Hall	373,568
LIMERICK	NEWCASTLEWEST	Newcastlewest Prob/Wel Office	39,613
LOUTH	DROGHEDA	Drogheda Prob & Wel Serv	66,000
LOUTH	DROGHEDA	Drogheda SWO Singleton House	70,533
MAYO	BALLINA	Ballina Road Safety HQ Unit 3	121,250
MAYO	BALLINA	Ballina Road Safety HQ Unit 4	121,938
MAYO	CASTLEBAR	Castlebar Prob/Welfare Service	38,260
MAYO	SWINFORD	Swinford DSFA Office	18,840
MEATH	NAVAN	Navan Athlumney House	439,921
MEATH	NAVAN	Navan Gov Off Kilcainr	573,700
MEATH	NAVAN	Navan Revenue Abbey Mall	575,360
MEATH	NAVAN	Navan SWO	230,000
MONAGHAN	MONAGHAN	Monaghan Drainage Workshops	32,500
OFFALY	TULLAMORE	Tullamore SWO Castle Buildings	204,045
SLIGO	SLIGO	Lough Arrow Field Study Centre	33,430
SLIGO	SLIGO	Marino House	57,642
SLIGO	SLIGO	Marino House	57,640

[Deputy Brian Hayes.]

County	Location	Building	Rent PA
SLIGO	SLIGO	Sligo Customs and Excise Store	24,000
SLIGO	SLIGO	Sligo Gov Off-Westward Town Cntr	42,260
SLIGO	SLIGO	Sligo Gov Off-Westward Town Cntr	53,250
TIPPERARY	BORRISOKANE	Borrisokane GS	14,000
TIPPERARY	NENAGH	Nenagh Justice Office	36,270
TIPPERARY	ROSCREA	Roscrea Civil Defence Office	178,825
TIPPERARY	ROSCREA	Roscrea Civil Defence Office	25,000
TIPPERARY	TIPPERARY	Tipperary Temp Decent Office	103,958
WATERFORD	WATERFORD	Waterford Agri Belview	13,220
WATERFORD	WATERFORD	Waterford RSA Test Centre	40,000
WATERFORD	WATERFORD	Waterford RSA Test Centre	156,000
WEXFORD	ENNISCORTHY	Enniscorthy SWO Portsmouth Hse	25,000
WEXFORD	ROSSLARE HARBOUR	Rosslare Harbour Government Off	79,206
WEXFORD	ROSSLARE HARBOUR	Rosslare Harbour Government Off	10,860
WICKLOW	ARKLOW	Arklow Prob & Welfare Serv	19,046
WICKLOW	BRAY	Block D Bray Civic Centre	471,541
WICKLOW	DUNLAVIN	Dunlavin GS + MQ	10,500

### National Lottery Funding

278. **Deputy Paudie Coffey** asked the Minister for Public Expenditure and Reform the amount of National Lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form. [21983/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** Funding from the National Lottery which was allocated to this Department was used for the Charitable Lotteries Scheme. Under this Scheme, funding is made available to supplement the income of certain private charitable lotteries whose products are competing directly with National Lottery products. The amount of funding provided from the National Lottery to this Department for this Scheme in 2009 and 2010 was as follows: 2009, €8.618m; 2010, €8.618m.

A list of the beneficiaries under the Charitable Lotteries Scheme for 2009 and 2010 is provided in the table below:

Charities	2009	2010
	€	€
Rehab Lotteries	5,644,928.91	5,625,488.26
Gael Linn	564,034.40	596,977.78
Asthma Society of Ireland	543,565.91	523,412.56
Irish Cancer Society	358,849.12	340,105.12
Polio Fellowship	358,849.12	340,105.12
The Hanly Centre	196,021.81	209,332.33
FÁSI	156,163.01	162,837.97
Irish Lung Foundation Limited	145,088.24	144,661.75
Irish Society for the Prevention of Cruelty to Children	127,748.48	126,506.95
West of Ireland Alzheimer Foundation	115,123.81	126,100.94
Drogheda Community Services Trust	101,390.74	104,594.82

Charities	2009	2010
	€	€
Irish M.E. Trust	90,839.28	90,251.62
Longford Cathedral Circle	54,504.19	53,943.92
St Kierans Community Centre	48,490.80	66,716.09
Associated Charities Trust	34,294.10	32,531.51
Lyreacrompane Community Development Ltd	23,845.06	24,919.34
Sliabh-Ardagh Rural Development	18,126.45	17,269.71
Cappoquin Community Development Ltd	16,619.56	13,099.53
Mulranny Day Centre Housing Co Ltd	13,856.88	19,144.70
Irish Wheelchair Association	5,660.13	—
Total	8,618,000	8,618,000

### Tax Code

279. **Deputy Brian Stanley** asked the Minister for Public Expenditure and Reform the reason public sector pension levies are deducted from the salaries of a range of workers who will not benefit from a public sector pension, including part-time tutors with the vocational education committees and those working in State sponsored agencies; if these workers will be reimbursed the deducted money on reaching pensionable age; and if he will make a statement on the matter. [22082/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The position is that public servants are in general liable to pay the pension-related deduction introduced in the Financial Emergency Measures in the Public Interest Act 2009. The criteria for being subject to the pension-related deduction are, essentially, that one is a public servant (defined in section 1 of the Act) and

- a) is a member of a public service pension scheme (defined in section 1 of the Act) or
- b) is entitled to a benefit under such a scheme or
- c) receives a payment in lieu of membership in such a scheme.

A public servant not covered by the above criteria would not be subject to the deduction. The determination of liability in the case of an individual is a matter for the individual's employer in the first instance as it depends on the specific employment circumstances. In this regard, the question of whether the legislation and the deduction apply to staff in Vocational Educational Committees or State sponsored bodies is a matter for their employer and any clarification queries are a matter for the parent Department.

Fixed-term and non-permanent workers across many areas of the public service are paying the deduction. In this general connection, such service is generally pensionable and, even for relatively short periods in such posts, pensionable service is accrued. It may also be transferred in the future to any public service employment. If the service is not transferred, section 6 of the Act provides for a refund of the deduction in certain limited circumstances, essentially in those cases where, on leaving employment, the pension scheme member has not accrued sufficient service to build up a benefit in any public service pension scheme.

### Departmental Expenditure

280. **Deputy Shane Ross** asked the Minister for Public Expenditure and Reform the sum of

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any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22272/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** My Department was established under the provisions of the Ministers and Secretaries (Amendment) Act 2011 on 6 July 2011. No public funds have been awarded, by my Department, to the Irish Business and Employers Confederation since that date.

### **Garda Stations**

281. **Deputy Dara Murphy** asked the Minister for Public Expenditure and Reform the funding amount to be provided in respect of Blarney Garda Station, County Cork; and if he will make a statement on the matter. [22346/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** The refurbishment and extension of Blarney Garda Station has been identified as a priority within OPW's accommodation programme for An Garda Síochána. To ensure competitive tendering, it is not proposed to disclose the project budget prior to requesting tenders.

282. **Deputy Dara Murphy** asked the Minister for Public Expenditure and Reform the funding to be provided in respect of Glanmire Garda Station, County Cork; and if he will make a statement on the matter. [22357/11]

**Minister of State at the Department of Finance (Deputy Brian Hayes):** The fit-out of the premises being acquired for An Garda Síochána in Glanmire has been identified as a priority within OPW's accommodation programme for An Garda Síochána. To ensure competitive tendering, it is not proposed to disclose the project budget prior to requesting tenders.

### **Departmental Bodies**

283. **Deputy John Lyons** asked the Minister for Public Expenditure and Reform his plans to reduce the number of quangos; and the number he believes can be closed. [22389/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Government is currently undertaking a Comprehensive Review of Expenditure under which all areas of public expenditure are being subject to scrutiny. The Government expect that this will go beyond simply abolishing agencies and also consider issues such as how existing agencies might be reformed, how functions might be reallocated among them, and how different bodies within and beyond individual Ministers' remit might be brought together on a repurposed, streamlined basis.

The question of rationalization and the reduction in the number of state agencies will be considered in the context of the Comprehensive Review of Expenditure and the overall budgetary and estimates process for 2012 and later years.

### **Appointments to State Boards**

284. **Deputy Anne Ferris** asked the Minister for Public Expenditure and Reform the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the Programme for Government. [22454/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** I intend to ensure that all boards under the aegis of the Department of Public Expenditure and Reform will have an appropriate gender balance.

**Expenditure Reviews**

285. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform the input that the Oireachtas will have into the planned Government expenditure review; if the outcome of the review will be presented to Dáil Eireann for approval; and when same will be published. [22481/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** As I am sure the Deputy is aware, work on the Comprehensive Review of Expenditure (CRE) is ongoing at the moment and involves all Ministers and Departments. The CRE will be a critical building block in formulating Government’s budgetary policy for 2012 and beyond and the results of the Comprehensive Review process will be brought before Government for consideration and decision in the Budget and Estimates process later this year. The Oireachtas will have the opportunity to debate the Government’s decisions arising from the CRE as part of the Budget debate, and in more detail in the 2012 Estimate debate at the relevant Select Committees.

More generally, while the detailed arrangements for the budgetary process in the autumn are still under consideration, I anticipate that the CRE exercise will have a significant bearing on the Pre-Budget Outlook (PBO) to be presented to Dáil Éireann in October.

In addition, the CRE will form a key input to the establishment of a Medium-Term Expenditure Framework (MTEF) later this year. This Framework will form part of the Fiscal Responsibility Bill to be put before the House and the Oireachtas will input in this context.

**Departmental Equipment**

286. **Deputy Dara Calleary** asked the Minister for Public Expenditure and Reform the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22497/11]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** No servers are owned, or leased by the Department of Public Expenditure and Reform. It has not been possible for all State agencies to reply with the timeframe. However, the following response has been received.

*Valuation Office*

Number of Servers owned by Valuation Office: 19 — see list below.

Capacity: 12.8 TB (Terabytes).

Number of Servers Leased: NONE

Server	Hard Disk Capacity
Dell PowerEdge 1950	146 GB
Dell PowerEdge 1950	73 GB
Dell PowerEdge 1950	146 GB
Dell PowerEdge 2950	292 GB
HP Proliant DL 385	3.6 TB
HP Proliant DL 380	438 GB
HP Proliant DL 380	438 GB
Dell PowerEdge 1300	40 GB
HP Proliant DL 360	146 GB
Dell PowerEdge R610	292 GB

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Server	Hard Disk Capacity
Dell PowerEdge R610	292 GB
HP Proliant DL 360	144 GB
Dell PowerEdge R710	4.1 TB
Dell PowerEdge 2950	1 TB
Dell PowerEdge 1950	600 GB
Dell PowerEdge 1950	600 GB
HP Proliant DL 385	1.3 TB
Val-scanner	146 GB
Total Capacity	12.8 TB

### State Agencies

287. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if a request by the Industrial Development Agency for an exemption from the recruitment embargo for the purposes of appointing a new IDA north west regional manager; and if he will make a statement on the matter. [22562/11]

288. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation the date on which his Department received a request from the Industrial Development Agency for an exemption from the recruitment embargo for the purposes of appointing a new IDA north west regional manager; and if he will make a statement on the matter. [22563/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 287 and 288 together.

IDA is an autonomous Agency set up by statute with a mandate to attract foreign direct investment in manufacturing and internationally-traded service industries into Ireland, and to support new and existing FDI operations so as to maximise the related industrial employment, output, exports, economy expenditures including wages, and corporation tax contributions.

As with all Departments and agencies, the total number of staff employed by IDA is not fixed varies from time to time depending on the resources available to Government and the requirements of the Agency. In recent times, the Government's financial position is of course particularly difficult, and a moratorium on the filling of vacancies arising in all Departments, Offices and agencies has been in operation since early 2009. At present, a comprehensive review of all Government expenditure is in train for completion later this year and to inform Government decisions on spending, including on staff numbers in Departments and agencies, in 2012 and later years.

Against this background, the Government is however determined to facilitate the delivery of the industrial employment and other targets in the current IDA Strategy. To achieve this, IDA is amongst those who have been approved, through consultation with my Department and the Department of Public Expenditure and Reform, in recent times to fill mission-critical vacancies that would otherwise have remained vacant under the moratorium.

The allocation of IDA staff to the various locations throughout the country and worldwide is a day to day operational matter for the Agency and not one in which I have a function. I understand from the IDA that it's Letterkenny office is not closing. IDA has sought Department of Finance sanction for a new North West Regional Manager. In Letterkenny, IDA will

maintain its office and staff employed there. IDA will continue to maintain two offices in the North West region.

### Job Creation

289. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the targets set for job creation, by sector and on a county basis; and the timetable for meeting same. [21869/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Job creation is central to our economic recovery and the Programme for Government has job creation at its core. It is only by creating the right environment for businesses to expand that we will see new jobs coming on stream. In this context, the objective of the Jobs Initiative announced on 10 May is to put policies in place to improve the business environment in Ireland, drive competitiveness, continue to grow our exports, and restore confidence in the economy, both internationally and domestically. The Jobs Initiative will support the maintenance of existing jobs, as well facilitating the creation of new ones. The Initiative includes a range of measures, which will be taken across all Government Departments — including my own — to stimulate the economy and help get people back to work.

The Programme for Government recognises that economic recovery must be export-led. *Trading and Investing in a Smart Economy* is an integrated strategy that is global in scope and covers both existing and new high growth potential markets. It has set a number of ambitious targets to be achieved by end 2015 i.e. to create 150,000 new jobs (manufacturing, tourism and traded services). The jobs total figure of 150,000 direct new jobs, is from agency estimates based on their growth targets over the Strategy period to the end of 2015 i.e. 75,000 (IDA Ireland), 60,000 (Enterprise Ireland) and 15,000 in the tourism sector. The strategy also foresees the creation of a similar number of new indirect jobs.

Enterprise Ireland's focus is export led sales growth in its client companies leading to jobs growth. Regarding sector, the software and internationally traded services sectors, cleantech, information and communications technology, life sciences and food are targeted to deliver the majority of new jobs, both from existing companies and new high potential start-ups. Enterprise Ireland client companies are widely dispersed throughout Ireland and the agency are actively engaged in seeking to support those companies with the appetite for growth and the commitment to building their capability to achieve it.

Enterprise Ireland will support the achievement of its job creation targets through a number of key interventions such as:

- support for start-ups, R&D and Innovation, and securing exports;
- supporting the establishment and growth of High Potential Start-Ups;
- supporting companies to target new opportunities in overseas markets;
- continuing to be focused on supporting company investments;
- continuing to invest in R&D both in terms of in-company investments; and
- by supporting the commercialisation of Ireland's research.

FDI has been, and will continue to be, a key element in the export led recovery of the economy. IDA will focus on winning new investments in areas such as Global Services, High End Manufacturing and Research, Development and Innovation. IDA will also target new investments

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from sectors such as Life Sciences, Medical Devices, Information and Communications Technology, Financial Services, Content Industry, Consumer and Business Services, Diversified Industries and Engineering and Clean Technologies. Building on existing regional strengths to ensure Ireland's economic development and optimising regional spread of overseas investments is central to IDA's core activities. Fifty per cent of these investments are to be based in locations outside of Dublin and Cork. A growing proportion of FDI will come from high-growth markets new to Ireland.

There is evidence that our policies are working. Yesterday's €50m investment by Analog Devices Limerick, together with today's announcements of new investments from Belgian, Dutch and US companies, in addition to the announcement by Allianz, and another expected announcement tomorrow from a world leading company will see over 560 new jobs created. IDA expect the strong flow of foreign direct investment to continue through 2011.

290. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the levels of employment vacancies available by sector and on a county basis. [21870/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department does not collate statistics in relation to the levels of employment vacancies available by sector and on a county basis.

291. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of assisted new business start up on a month by month and on a county basis, over the past 12 months; the current levels of business failures on a month by month and on a county basis over the past 12 months; the average gross salary by industry sector of new jobs directly created as a result of Industrial Development Agency supported companies for the years 2007 to 2010. [21872/11]

296. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the average gross salary by industry sector of new jobs directly created as a result of Enterprise Ireland supported companies in the years 2007 to 2010. [21877/11]

297. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide on a county basis the Enterprise Ireland grants awarded in the years 2007 to 2010 based on the registered office or trading address of the relevant companies. [21878/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose take Questions Nos. 291, 296 and 297 together.

Due to the extensive amount of statistical information requested by the Deputy, my Department has been unable to collate the information sought within the timeframe given. I will endeavour to provide the information to the Deputy as soon as possible .

### **Industrial Development**

292. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide an analysis of grants awarded by the Industrial Development Agency split between feasibility grants, employment grants and capital grants for the years 2007 to 2010. [21873/11]

293. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide on a county basis the Industrial Development Agency grants awarded in the years 2007 to 2010 based on the company's location or trading address. [21874/11]



294. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the split of the Industrial Development Agency grant allocation of €85 million for 2011 between feasibility grants and employment grants. [21875/11]

295. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation if he will provide the volume and value of grants which were redeemed and refunded to the Industrial Development Agency in the years 2007 to 2011 as a result of closures, reorganisations, restructuring or failure to comply with the terms of the grants. [21876/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 292 to 295, inclusive, together.

The figure mentioned by the deputy of €85 million refers to the Oireachtas allocation to the Agency to enable it to pay grants to companies who have already received approval of their business/investment plan by IDA Ireland. Grants paid for RD&I and Employment grants in 2010 are as follows:

RD&I (including Feasibility and RTI grants) — €79,737,895;

Employment (including Employment Subsidy grants) — €26,303,174.

The total amounts of IDA Grants Paid broken down by county are outlined in the tabular statement attached.

The volume and value of grants which were redeemed and refunded to IDA Ireland from 2007 to 2010 inclusive as a result of closures, re-organisations, restructuring or failure to comply with the terms of the grants is set out below:

2007 — 8 refunds totalling €10,693,000;

2008 — 15 refunds totalling €4,189,000;

2009 — 7 refunds totalling €14,734,000;

2010 — 16 Refunds totalling €12,881,000.

The total amounts paid by IDA in respect of Research, Development and Innovation Grants, Employment Grants and Capital Grants between 2007 and 2010 is as follows:

Research, Development and Innovation Grants — €233.16 million.

Employment Grants (including Employment Subsidy Grants) — €90.37 million; Capital Grants €25.84 million.

Total of Grants Paid — €349.37 million

These amounts are broken down in the following tabular statement.

Table of Research and Development, Employment and Capital Grants Paid by IDA Ireland from 2007 to 2010.

Grant Type	2007	2008	2009	2010
	€	€	€	€
RD&I (including Feasibility and RTI grants)	44,862,498	47,256,182	61,309,463	79,737,895
Employment (including Employment Subsidy grants)	22,857,039	26,497,176	14,716,454	26,303,174

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Grant Type	2007	2008	2009	2010
	€	€	€	€
Capital	10,480,733	2,779,065	2,202,700	10,365,510

Table of IDA Ireland grants paid on a county by county basis from 2006 to 2010

County	2006	2007	2008	2009	2010	Total
Carlow	€0	€553,820	€480,305	€176,000	€0	€1,210,125
Cavan	€0	€0	€0	€143,000	€772,345	€915,345
Clare	€1,089,634	€321,151	€471,682	€790,882	€762,100	€3,435,449
Cork	€28,412,528	€10,354,690	€14,422,159	€16,585,908	€20,119,751	€89,895,036
Donegal	€142,514	€2,334,893	€281,200	€1,253,200	€2,353,385	€6,365,192
Dublin	€24,674,835	€31,603,168	€25,910,424	€29,101,843	€46,420,938	€157,711,208
Galway	€9,770,224	€8,597,316	€12,218,919	€10,206,304	€9,448,677	€50,241,440
Kerry	€53,683	€0	€42,949	€148,565	€216,450	€461,647
Kildare	€13,357,389	€669,301	€10,857,083	€9,691,781	€4,981,549	€39,557,103
Kilkenny	€0	€635,000	€0	€0	€0	€635,000
Laois	€11,250	€45,708	€0	€39,000	€274,324	€370,282
Leitrim	€0	€0	€0	€28,600	€566,500	€595,100
Limerick	€4,342,988	€2,046,383	€2,871,880	€5,594,812	€5,104,862	€19,960,925
Longford	€1,188,500	€669,000	€678,789	€143,000	€357,000	€3,036,289
Louth	€246,434	€348,127	€1,245,000	€282,000	€347,207	€2,468,768
Mayo	€1,999,975	€61,529	€816,847	€66,007	€4,693,343	€7,637,701
Meath	€45,062	€300,000	€691,066	€136,501	€524,671	€1,697,300
Monaghan	€0	€0	€0	€445,882	€260,000	€705,882
Offaly	€8,255	€33,510	€0	€257,092	€211,870	€510,727
Roscommon	€424,929	€111,687	€91,938	€77,568	€283,503	€989,625
Sligo	€2,034,000	€377,507	€555,017	€553,787	€925,555	€4,445,866
Tipperary	€2,617,599	€4,278,944	€2,727,287	€1,431,584	€17,755,098	€28,810,512
Waterford	€4,642,637	€7,264,669	€4,739,590	€854,934	€1,414,402	€18,916,232
Westmeath	€1,060,269	€1,002,499	€937,110	€1,872,257	€1,564,401	€6,436,536
Wexford	€298,679	€1,196,487	€0	€190,078	€569,253	€2,254,497
Wicklow	€296,606	€629,010	€232,593	€791,321	€513,000	€2,462,530

Questions Nos. 296 and 297 answered with Question No. 291.

### Departmental Agencies

298. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the value of preference and ordinary shares held by Enterprise Ireland in companies which it supports. [21879/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The value of preference and ordinary shares held by Enterprise Ireland in companies which it supports amounted to €169.8m as at 31 December 2010.

299. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the volume and value of grants or preference share and equity investments which were redeemed and

refunded to Enterprise Ireland in the years 2007 to 2011 as a result of disposals, closures, reorganisations, restructuring or failure to comply with the terms of the grants. [21880/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The volume and value of grants or preference share and equity investments which were redeemed and refunded to Enterprise Ireland in the years 2007 to 2011 as a result of disposals, closures, re-organisations, re-structuring or failure to comply with the terms of the grants are set out in the following attached.

	Number	Value
		€'000
2007	233	23,598
2008	208	25,334
2009	245	13,679
2010	281	26,478
2011 to date	107	18,251
Total	1,074	107,340

300. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number of staff directly employed in the Industrial Development Agency and Enterprise Ireland; and if this will increase or decrease in the years. [21881/11]

315. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if he will contact the Department of Finance to endorse a request from the Industrial Development Agency for an exemption from the recruitment embargo for the purposes of appointing a new IDA north west regional manager; and if he will make a statement on the matter. [22564/11]

316. **Deputy Charlie McConalogue** asked the Minister for Jobs, Enterprise and Innovation if he will meet with the Industrial Development Agency to discuss the continuation of the Industrial Development Agency Letterkenny office in County Donegal as an office with direct responsibilities for working to attract new investment to the north west region and for managing the IDA north west regional operations; and if he will make a statement on the matter. [22565/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 300, 315 and 316 together.

IDA and Enterprise Ireland are autonomous agencies set up by statute with a mandate to support the development of new and existing manufacturing and internationally-traded service industries in Ireland, so as to maximise the related industrial employment, output, exports, economy expenditures including wages, and corporation tax contributions.

As with all Departments and agencies, the number of staff is not fixed and it varies from time to time depending on the resources available to Government and the requirements of the mission concerned. In recent times, the Government's financial position is of course particularly difficult, and a moratorium on the filling of vacancies arising in all Departments, Offices and agencies has been in operation since early 2009. At present, a comprehensive review of all Government expenditure is in train for completion later this year and to inform Government decisions on spending, including on staff numbers in Departments and agencies, in 2012 and

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later years. In this context, it is not possible to say if staff numbers in particular departments, offices or agencies will increase or decrease in future.

Against this background, the Government is however determined to facilitate the delivery of the industrial employment and other targets in the current strategies of IDA and Enterprise Ireland. To achieve this, both agencies are amongst those who have been approved, through consultation with my Department and the Department of Public Expenditure and Reform, in recent times to fill mission-critical vacancies that would otherwise have remained vacant under the moratorium. I am satisfied that the currently approved staff numbers available to both agencies are sufficient to deliver on their strategies for the coming period.

Within these overall demanding constraints, the management and location of IDA staff is a day to day operational matter for the agency and not one in which I have a direct function. I understand from the IDA that its Letterkenny office is not closing. IDA has sought Department of Finance sanction for a new North West Regional Manager. In Letterkenny, IDA will maintain its office and staff employed there. IDA will continue to maintain two offices in the North West region.

### **Job Creation**

301. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation his views on cost benefit to the economy of the establishment of a €300 million job retention fund to subsidise employees small and medium enterprises; and if so, the details of same. [21882/11]

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy John Perry):** Job creation and retention is central to our economic recovery and the Programme for Government has job creation at its core. The role of my Department is to ensure that we have the right policies to support enterprise and innovation so that quality employment opportunities can be grown and maintained. It is only by creating the right environment for businesses to expand that we will see new jobs coming on stream. On 10 May, the Government launched a €500m Jobs Initiative which has the objective of:

restoring confidence in the economy, both internationally and domestically, · supporting the maintenance of existing jobs, and facilitating the creation of new ones, · improving the business environment and assisting people to get back to work.

Many of these measures have already been brought into effect, including the reduction of VAT on restaurant and catering services, hotel and holiday accommodation and various entertainment services; the halving of the lower rate of employer's PRSI on earnings up to €356 per week; the launch of the National Internship scheme; and the focusing of the State's capital expenditure towards more employment-intensive projects in the areas of education, local and regional roads and sustainable transport projects.

The Jobs Initiative also made commitments to introduce a Loan Guarantee scheme and a Microfinance Start up Fund, to improve access to finance for businesses. My Department is currently working on developing these schemes and my colleague the Minister for Jobs, Enterprise and Innovation expects to be in a position to announce details of the schemes within the next six months.

The Programme for Government also outlines a number of measures, which the Government will take to assist small and medium enterprises with a view to maximising their potential in the context of economic recovery. These measures will build on the existing enterprise supports available to small businesses through the City and County Enterprise Boards and Enterprise

Ireland. All of the measures I have outlined — along with other commitments in the Programme for Government — will contribute to facilitating job creation and retention.

**Departmental Agencies**

302. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the locations of the Industrial Development Agency offices, Enterprise Ireland offices, Irish embassies and Irish consulate offices worldwide; and the cost of operations for each office.

[21885/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The cost and location of embassies and consulates is a matter for the Tánaiste and Minister for Foreign Affairs and Trade. Enterprise Ireland has 30 offices outside of Ireland, located throughout Europe, the Middle East, Africa, the United States and Canada, Latin America and Asia/ Pacific, details of which are set out in the attached tabular statement. The overall costs in relation to the running of the Enterprise Ireland overseas offices amounted to €19.2m in 2010. It is not possible in the time available to provide a breakdown of the operating costs for each office.

Enterprise Ireland monitors the overseas office network as part of the organisation’s operational planning process to determine the appropriate mix and location for Enterprise Ireland offices to maximise the economic and commercial opportunities for Irish client companies. This review process has resulted in the rationalisation and closure of some Enterprise Ireland offices and the opening of new overseas offices to maximise the export opportunities for client companies in key markets.

IDA Ireland has 18 overseas offices located in Europe, the United States, Asia Pacific and South America, details of which are set out in the attached tabular statement. The overall costs in relation to the running of the IDA Ireland overseas offices amounted to €11,482,000 in 2010. It is not possible in the time available to provide a breakdown of the operating costs for each office.

In recent years IDA has increased its international presence through the expansion of existing offices in the US and the development of new offices/representatives in France, China, Russia and Brazil, as part of a significant redeployment of personnel to its overseas activities from elsewhere in IDA.

Enterprise Ireland’s Overseas Offices

UK & Northern Europe	Amsterdam, Brussels, Glasgow, London, Paris and Stockholm
Central & Eastern Europe	Budapest, Düsseldorf, Moscow, Prague and Warsaw
Southern Europe, Middle East & Africa	Dubai, Madrid, Milan and Riyadh
USA & Canada	Boston, New York, Silicon Valley, Toronto
Latin America	Sao Paulo
Asia / Pacific	Beijing, Guangzhou, Hong Kong, Kuala Lumpur, New Delhi, Seoul , Shanghai, Singapore, Sydney and Tokyo

IDA’s Overseas Offices

Europe	London, Frankfurt, Paris
USA	New York, Boston, Mountain View (California),Irvine (California), Atlanta and Chicago

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Europe	London, Frankfurt, Paris
Asia Pacific/Growth Markets	Russia, Brazil, Australia, Korea, Taiwan, Japan, China x 2 (Shanghai and Shenzhen) and India

### Departmental Properties

303. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the number and locations of his Department's buildings that are currently in an upward only rent review contract; the cost of rents for 2008, 2009, 2010 and expected rents for 2011. [21886/11]

304. **Deputy Peadar Tóibín** asked the Minister for Jobs, Enterprise and Innovation the numbers and locations of buildings his Department lease that are in upward only rent contracts; and the cost of rents for 2008, 2009, 2010 and expected rents for 2011. [21887/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 303 and 304 together.

My Department and the 8 Offices of my Department do not currently rent or lease any properties. All the properties occupied by the Department and its Offices are provided by the Office of Public Works (OPW) without any cost to the Department or the Offices concerned. In many of those cases, the properties are rented or leased by the OPW and the information requested by the Deputy, in relation to the number and locations of buildings that might be in an upward only rent review contracts and the cost of such rents, could only be supplied by the Office of Public Works.

### National Lottery Funding

305. **Deputy Paudie Coffey** asked the Minister for Jobs, Enterprise and Innovation the amount of National Lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form [21978/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department did not receive any funding from the National Lottery in 2009 or 2010 and does not expect to receive any such funding in 2011 either.

### Departmental Programmes

306. **Deputy Michael Conaghan** asked the Minister for Jobs, Enterprise and Innovation if he will outline any outreach activities proposed for the Dublin area as part of Dublin City of Science 2012; the proposed educational activities tied to the event in Dublin schools; the benefits disadvantaged communities in Dublin will gain from the significant investment being made in this project; and if he will make a statement on the matter. [22102/11]

**Minister of State at the Department of Jobs, Enterprise and Innovation (Deputy Sean Sherlock):** Dublin City of Science 2012 is a highly prestigious event which was won in the face of stiff competition. Planning for this event is being coordinated by the Office of the Chief Scientific Adviser to the Government. Hosting City of Science will serve three functions. It will

- provide a platform to showcase the best of Irish science and research across all disciplines;
- boost the international standing of Ireland as a leading centre for scientific and research excellence and to provide a framework to demonstrate the world class research system that we have built over the last decade; and,

- promote careers in science, technology engineering and maths among prospective students and their parents.

With regard to the third function, on 6 April last I announced a call for proposals for a year-long programme of events to engage the citizens of the island of Ireland in science. The intention is to devise a programme of events that will demonstrate the reach of science into almost every aspect of our lives — education, business, the arts, sports and our communities. Partnerships are being sought with organisations and individuals who wish to develop events that will encourage the public to engage with science.

The Office of the Chief Scientific Adviser has confirmed that, when this call closed at end June, over 320 proposals had been received from across the island. An initial overview of these proposals shows strong elements of creativity, diversity and concern to make science more accessible to the citizen. The proposals are currently being assessed and it is planned to produce a first outline of a programme of outreach activities in the Autumn.

### **Research Funding**

307. **Deputy Ciara Conway** asked the Minister for Jobs, Enterprise and Innovation the supports that are being put in place or that are planned to support the indigenous digital gaming industry by reforming the research and development supports available to this industry; the funding that will be set aside from the Innovation Fund for Ireland for a seed capital scheme for Irish digital gaming start up; when an announcement will be made on this funding; the other initiatives that will be put in place to ensure that Ireland becomes an established digital gaming hub; and if he will make a statement on the matter. [22235/11]

309. **Deputy John Lyons** asked the Minister for Jobs, Enterprise and Innovation in view of the high potential for job growth in the online gaming industry here, his plans to aid the development of this sector including his plans to address reported skills shortages in key areas of games development; and if he will make a statement on the matter. [22385/11]

**Minister for Enterprise, Jobs and Innovation (Deputy Richard Bruton):** I propose to take Questions Nos. 307 and 309 together.

Digital gaming is one of a number of key sectors which I see as offering strong potential for growth and increased employment in Ireland. The global video games market was valued at US\$55.5 billion in 2010 and is expected to grow to US\$82.5 billion by 2015, making it the FÁStest growing segment of the wider entertainment and media sector. It is a rapidly moving marketplace and one where Ireland could become a significant player.

The Programme for Government includes a commitment to support the digital games industry and promote Ireland as a digital gaming hub. The sector directly employed 1,500 people in Ireland in 2010 in core games companies, representing a fourfold increase since 2004, with a further 1,000 employed people in online gambling. There is considerable potential for jobs growth in the core video games sector, with further potential for growth across related sectors and activities, such as eLearning, animation, etc.

I met recently with representatives from the Digital Gaming industry to discuss how we could further develop the sector. At present, Forfás is preparing a report for me on the potential of the industry. The report will identify key actions that need to be taken to optimise the development of Digital Gaming in Ireland. I expect to receive the report from Forfás before the end of this month and I will give it early consideration. I will seek the support of my Government colleagues, as necessary, to take appropriate actions required to further develop the sector on foot of the report.

[Deputy Richard Bruton.]

The Programme for Government pointed to the R&D tax credit as a means of further enhancing Ireland's attractiveness to the digital game industry. Detailed consultations have been underway in recent months involving my Department, the enterprise agencies and representatives of the many active and growing games companies operating in Ireland. These discussions have included in-depth examination of those elements of the games development process that fall within the provisions of the R&D tax credit to ensure they are fully understood and availed of by the industry and also to determine where there might be room for enhancement.

Innovation Fund Ireland is part of a suite of policy initiatives to position Ireland as a Global Innovation Hub. The overall objective of the Innovation Fund is not just to increase the availability and diversity of smart capital for start-up and scaling firms, but also to transform the market by attracting top tier fund managers to Ireland and support the further development of the venture capital sector. The extent to which the Digital Games sector will attract financing will become clearer over time.

In the meantime, companies can compete for funding under Enterprise Ireland's new Internet and Games Competitive Start Fund. Enterprise Ireland set up the new Fund as a mechanism to get financial support into very early stage companies at the critical product-market fit stage of their projects.

In March, I announced the 10 companies that had been successful under the first call under the Fund. Each of the ten companies receives an equity investment of €50,000 for a 10% ordinary equity stake, along with the support of an experienced business mentor to guide them as they develop their business. Following the huge interest in this first call, Enterprise Ireland expanded its offer with a second fund (Competitive Start Fund) that is also open to software companies in the games, telecoms, software as a service (SaaS), cloud computing and enterprise software sectors.

With regard to skills shortages, over the past few months, my Department's officials have been working with the Secretariat to the Expert Group on Future Skills Needs, the Higher Education Authority and the Department of Education and Skills to more precisely clarify issues in relation to skills gaps in the ICT sector as a whole and how they might be addressed. Discussions have taken place with over 25 foreign-owned and indigenous companies to establish information on the scale and nature of issues involved and the reasons for reported difficulties.

The Minister for Education and Skills, Minister Quinn, has confirmed his commitment to work collaboratively with the sector on measures to increase the longer term supply of graduates, and to address the skills needs of the sector in the interim through an expansion of conversion and re-skilling courses.

### Departmental Funding

308. **Deputy Shane Ross** asked the Minister for Jobs, Enterprise and Innovation the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers Confederation in the past decade. [22266/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Minister for Enterprise, Trade and Innovation (Mr. Bruton) The information requested is as follows.

Year	Beneficiary	Purpose	€
2000-2003*	IBEC	Project Funded through National Framework Committee for Work Life Balance Policies	150,205.95



Year	Beneficiary	Purpose	€
2006	IBEC	Project Funded through Workplace Innovation Fund to support innovation and change at enterprise level	107,183.00
2007	IBEC	Project Funded through Workplace Innovation Fund to support innovation and change at enterprise level	132,953.00
2008	IBEC	Project Funded through Workplace Innovation Fund to support innovation and change at enterprise level	329,298.00
2008	Small Firms Association	Project Funded through National Framework Committee for Work Life Balance Policies	3,722.40

\*The Committee's activities were funded from the Department of Justice, Equality and Law Reform Vote from 2000 to end 2003. The Committee was chaired and managed by my Department.

*Question No. 309 answered with Question No. 307.*

### Departmental Programmes

310. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Jobs, Enterprise and Innovation if, in conjunction with the Department of Health and the Department of Children and Youth Affairs, he will initiate a campaign to raise public awareness of the dangers to children of looped cord window blinds. [22456/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In Ireland the National Consumer Agency (NCA) is responsible for product safety of non-food consumer products including window blinds. I am informed that the Department of Health and the Department of Children and Youth Affairs have no responsibility in relation to window blinds. The NCA has been actively working to promote consumer awareness of window blind cord safety over the past number of years. As part of this role the Agency has produced a brochure entitled 'Consumer Guide to the Safety of Window Blinds'. This brochure was prepared in cooperation with the National Standards Authority of Ireland (NSAI) and includes consumer tips in relation to what to look out for when buying new blinds as well as advice on how to minimise risks posed by blinds already installed in homes.

At the request of the Agency, copies of the brochure were sent to over 4,000 primary and secondary schools around the country as well as to regional Health Promotion Officers for general distribution. Copies were also sent to manufacturers and retailers of window blinds. This leaflet is available on the NCA's website: [www.nca.ie](http://www.nca.ie). The Agency is currently updating this brochure and expects to publish it later in 2011. In addition, the Agency has been advocating for further revision, at EU level, to the relevant standard to eliminate the risk associated with window blinds. It has also been urging Irish manufacturers, suppliers and retailers to address the issue.

In relation to window blinds, a new European standard has been in place since February 2009 which has been adopted as 'Irish standard I.S. EN13120 — Internal blinds — Performance requirements including safety'. As well as specifying the requirement for the fitting of internal blinds, this standard deals with the construction, transport, installation, operation and maintenance of window blinds.

Work commenced in 2010 to revise the European Standard EN 13120 in order to strengthen requirements in relation to risks of strangulation by young children. Ireland has actively participated in the working group responsible for this revision. More recently work has taken place to draw up a parallel support-standard relating specifically to the testing of such products. Both the revised standard EN 13120 and the new support-standard are expected to be published in 2012.

[Deputy Richard Bruton.]

In order to take account of national concerns in this area it is proposed that a national standard, more comprehensive than the European standard, will be published late in 2011 on providing guidance for manufacturers and installers as well as consumers on safe window blind products. This standard will include other important guidance such as installation of corded window products and information on installation, including safety aspects, as well as training requirements for installers, manufacturers and sales representatives. To this end a committee has been established by the NSAI comprised of representatives of the manufacturing and installation sectors as well as the NCA. A draft standard will be available for public consultation in the forthcoming weeks.

### **Green Card Applications**

311. **Deputy Dominic Hannigan** asked the Minister for Jobs, Enterprise and Innovation the reason a person's (details supplied) application for a green card permit was denied when they have a job offer from an employer registered with both the Revenue Commissioners and the CRO and would be earning between €30,000 and €60,000, and the job offer is in the restricted professions as outlined by his Department; and if he will make a statement on the matter. [22469/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** My Department processes applications in respect of the different types of employment permits (Green Cards Permits, Work Permits, Spousal/Dependant Permits and Intra-company Transfer Permits). All applications are processed strictly in date of receipt order by permit type and in line with the Employment Permits Act 2006. This particular Green Card application was refused on 6 July 2011 on the grounds that it is current Government policy to issue new employment permits only in respect of:

- highly skilled, highly paid positions or;
- non-EEA nationals who are already legally resident in the State on valid employment permits or;
- where there is an officially recognised scarcity of workers of a particular type or qualification.

Furthermore, from the information submitted with the application, it appeared that the proposed employee was currently resident in the State without immigration permission and an employment permit could not be considered in this case. In addition, the Green Card Scheme is designed for high level, strategic skill shortage occupations in certain economic sectors and the position on offer does not appear to fall within this Scheme. The applicant was notified of this decision in writing and of their right to appeal within 21 days from the date of the refusal decision. To-date no such appeal has been received in the Employment Permits Section.

I wish to advise the Deputy that all appeals must be submitted by the applicant in writing addressed to the Appeals Officer in the Employment Permits Section of my Department and address all of the reasons for the refusal of the application. If the applicant wishes to submit an appeal within this timeframe, the Appeals Officer will then review the decision made.

### **Departmental Equipment**

312. **Deputy Dara Calleary** asked the Minister for Jobs, Enterprise and Innovation the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22491/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The current number of servers in operation in my Department and its Offices is 210 with an average of 4 GB memory per server. The disk capacity of each server varies depending on the application involved and the data stored by users of each application and this can change depending on business requirements. The approximate total capacity of the servers is 80 terabytes. The ICT Unit in my Department have informed me that they are in the early planning stage for the formulation of a server consolidation and virtualization strategy. Server specifications for servers owned by the agencies under the aegis of this Department are day-to-day operational matters for the agencies involved and not ones in which I have any function. However, I am referring the specific question to each of the Agencies under my remit with a request to respond to you directly.

### State Boards

313. **Deputy Anne Ferris** asked the Minister for Jobs, Enterprise and Innovation the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22520/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Appointments to the boards of bodies accountable to my Department are made in accordance with the legislation under which the body was established. The relevant legislative provisions vary from body to body. For example, in certain cases the legislation provides for the appointment of persons nominated by specified stakeholders, such as professional or representative bodies. This can sometimes have a limiting effect on the scope to address gender imbalances. In other cases there may be no such provisions.

Appointments are also made based on the expertise and experience of individuals, the balance of skills and attributes in terms of the overall composition of the board, the gender balance of the board and the availability and commitment of people to serve on the board. Achieving greater gender balance on State boards remains a key objective as part of the overall goal of getting the best people serving on our State boards.

To this end, I recently launched a public campaign inviting expressions of interest from suitably qualified and experienced persons for appointment to the boards of several agencies coming under the aegis of my Department. The purpose of the campaign was to broaden the pool of suitable candidates for consideration for appointment to boards. I also made it clear that in considering applications I would have due regard to Government policy on gender balance on State boards.

### Departmental Expenditure

314. **Deputy Olivia Mitchell** asked the Minister for Jobs, Enterprise and Innovation if he has, in view of the change of name of the Departments, procured a new logo for his Department, new signage and any other branding such as stationery and so on; if so, the cost of same; and if he will make a statement on the matter. [22558/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Arising from the change of name of my Department expenses were incurred in providing new signage and stationery but no new logo was procured. The cost incurred to date by the Department and the Offices of the Department is €10,113.

*Questions Nos. 315 and 316 answered with Questions No. 300.*

### Job Creation

317. **Deputy Joe McHugh** asked the Minister for Jobs, Enterprise and Innovation the position regarding the 1999 task force on County Donegal unemployment; the further position regarding the 2002 interdepartmental report for County Donegal; and if he will make a statement on the matter. [22568/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The Taskforce referred to was established in 1998 in response to significant job losses in the County and the taskforce report ‘*An Action Plan to Establish Donegal as a Prime, Competitive and Attractive Location for Job Creation*’ was produced in December 1998. In March 2000, the Donegal County Development Board (CDB) was established as part of the national programme for local government reform. Given the overall remit of the Donegal CDB to co-ordinate public service delivery and development at local level, it was widely accepted that the newly established CDB was the most appropriate vehicle through which to implement the recommendations of the Report.

On this basis An Stráiteis, Donegal CDB’s 10 year strategy for the social cultural and economic development of the county incorporated the recommendations of the Taskforce Report. Progress reports on the work of the Donegal CDB are available on their website *www.donegalcdb.ie*. The backdrop to the establishment of the Interdepartmental Group by the Government, was the continuing concerns about job losses in Co. Donegal following the closure of industries such as Fruit of the Loom and Hospira.

The purpose in establishing the Interdepartmental Group was to secure agreement on a list of projects and actions, requiring priority implementation, that would increase the attractiveness of Donegal as a location for enterprise development. The focus of the Group was to identify the various local issues representing barriers to the establishment and operation of enterprises, to take stock of relevant projects and actions already planned or underway, and, finally to identify measures that could be taken by the relevant Departments and agencies to support the environment for enterprise development and to quantify the resources required. The primary focus of the Group was on actions requiring decisions at national rather than local level.

On 27 July 2006, the then Minister published the Report of the Interdepartmental Group on Donegal. The report identified the various infrastructure developments required to support enterprise development in the County. The report found that the County was facing significant challenges in many sectors, with obvious challenges in Traditional Manufacturing, an above average Unemployment Rate and a need to enhance the education and skills of the workforce. However, the report noted, not just that much progress had been made, but also that there were financial provisions available to complete major infrastructure projects, especially new roads, to equip Donegal further as an attractive location for enterprise development.

Since then, the State development agencies supporting enterprise development have worked together in Co. Donegal to provide a clear vision and focus for future economic development. Donegal became a targeted location for IDA with the County competing for a different type of business to the labour intensive manufacturing which Ireland so successfully won over the past four decades. To encourage overseas investment IDA developed a Business Park in Letterkenny with modern building solutions capable of competing with other locations nationally and also internationally. IDA also worked with the 3rd Level Sector in the region at Letterkenny Institute of Technology and the 3rd Level sector in Northern Ireland to offer the necessary courses aimed at target sectors.

### Departmental Staff

318. **Deputy Joe McHugh** asked the Minister for Jobs, Enterprise and Innovation the number of quangos, agencies and authorities that were established by his Department in each of the years 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22583/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** There were eight agencies/authorities established by my Department between 1997 and January 2011, as detailed in the following table. You may wish to note in this regard that it is the Oireachtas that establishes Agencies and authorities and not the Department.

The number of staff serving in the Department and its Offices, which comprise of the Office of the Director of Corporate Enforcement, the Companies Registration Office, the Patents Office, the Labour Court, the Labour Relations Commission and the Employment Appeals Tribunal, in 1997 was 908. These numbers peaked at 1,087 in 2008 and stand at 864 at the end of January 2011.

Name of Board, Body, Authority, Agency or Office	Date Established
National Standards Authority of Ireland	14 April 1997
Enterprise Ireland	1998
InterTrade Ireland	13 December 1999
Science Foundation Ireland (SFI)	Established as Sub Board of Forfás in 2000. In 2003, SFI was established as separate legal entity under Industrial Development (Science Foundation Ireland) Act, 2003
Irish Auditing and Accounting Supervisory Authority (IAASA)	Interim Board established in April 2001, and formally established on 3 January 2006
Office of the Director of Corporate Enforcement (ODCE)	21 November 2001
Personal Injuries Assessment Board	13 April 2004
National Consumer Agency	Interim Board established on 06 June 2005 and formally established on 01 May 2007

### Departmental Reports

319. **Deputy Joe McHugh** asked the Minister for Jobs, Enterprise and Innovation the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22600/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In the time available since this Question was tabled my Department has not been able to collect the extensive volume of information requested by the Deputy. Once the available information is collated I will arrange for it to be forwarded to the Deputy.

### Semi-State Bodies

320. **Deputy Pearse Doherty** asked the Minister for Jobs, Enterprise and Innovation the savings to the semi-state sector in his Department in a full year if he were to cap the maximum salary available in semi-state bodies at €100,000. [22637/11]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** The salary of individual employees in the Agencies under the remit of my Department is a day-to-day administrative matter for which I have no function. However, I am referring the specific question to each of the Agencies under my remit with a request to respond to you directly.

### Social Welfare Code

321. **Deputy Peadar Tóibín** asked the Minister for Social Protection if there is any data available to indicate the number of public sector workers currently in receipt of family income supplement; if he will provide an analysis of same by Department. [21914/11]

**Minister for Social Protection (Deputy Joan Burton):** There are currently approximately 24,250 people in receipt of a weekly family income supplement (FIS) payment, of which 2,600 are public servants. The number of civil servants who are receiving FIS is included in the figure for public servants. A separate breakdown for civil/public servants by department is not currently available, due to the way in which data is captured on the department's computer data base for FIS applicants.

322. **Deputy Peter Mathews** asked the Minister for Social Protection if it is possible for an Irish citizen who has emigrated to Canada to transfer his Irish company pension to his Canadian defined contribution registered retirement savings plan (details supplied); if not, if he plans to introduce legislation to permit this; and if she will make a statement on the matter. [21993/11]

**Minister for Social Protection (Deputy Joan Burton):** The Pensions Act provides that where a person leaves employment, their accrued pension entitlement can be preserved in the pension scheme of their former employer or transferred to an overseas arrangement that provides for retirement benefits.

Such a transfer can be made provided that the trustees of the scheme or the Personal Retirement Savings Account provider as appropriate, have satisfied themselves that the benefits provided under the overseas arrangements are relevant benefits within the meaning of section 770(1) of the Taxes Consolidation Act 1997. Trustees and providers are required to obtain written confirmation to that effect from the trustees, administrators of the overseas arrangements to which the transfer is to be made.

The trustees of a pension scheme are required to provide full details of the rights and options available to a person on leaving the employment including the option to preserve pension benefits in the scheme or have a person's accrued pension rights transferred. A person can apply for a transfer payment within two years of termination of employment or longer if the scheme allows but before the preserved benefit becomes payable. Arrangements to make the transfer payment must be made by the scheme within three months of the application being received. Once the appropriate transfer payment is made, the trustees are discharged from any further obligation to provide benefits relating to the member's preserved benefit.

323. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding a back to school allowance application in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [21865/11]

**Minister for Social Protection (Deputy Joan Burton):** The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. Those customers who did not receive an automated payment are required to complete an application

form that is available for download from [www.welfare.ie](http://www.welfare.ie) or by texting “Form BTSCFA”, followed by their name and address to 51909.

Processing has begun on the manual applications already received and it will take 4-6 weeks to process applications. In all cases a letter will issue to applicants informing them of the decision and, where payment has been awarded, when and where they can collect the payment. In the case of refusal of the allowance the procedures for review of the decision will be outlined to customers. Due to the large volume of applications received, information regarding the receipt or progress of individual applications will not be available until such time as the applications have been examined and a decision taken.

*Questions Nos. 324 to 327, inclusive, withdrawn.*

### **Departmental Schemes**

328. **Deputy Peadar Tóibín** asked the Minister for Social Protection the take-up of the internship scheme, JobBridge, by sector and geographic location. [21899/11]

329. **Deputy Peadar Tóibín** asked the Minister for Social Protection the levels of vacancies in the internship scheme, JobBridge, by sector and geographic location. [21900/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 328 and 329 together.

JobBridge, the national internship scheme was launched 3 weeks ago. To date, the JobBridge website is hosting over 1100 opportunities across a wide range of sectors. Some 110 interns have been selected by host organisations to commence an internship, of which 46 have been verified by my Department and, of these, 23 have commenced their internship. I have requested a report to be compiled on the opportunities advertised by sector and by geographic location and will forward this report to the Deputy as soon as it is available.

The national internship scheme is a key part of the government’s jobs initiative. It will provide up to 5,000 unemployed people with an internship opportunity ranging from 6 to 9 months in an organisation in the private, public or community and voluntary sectors. During this time participants will receive an allowance, which will consist of a €50 per week top up on their existing social welfare entitlements. The scheme will run for 2 years so applications will be accepted until June 2013.

*Question No. 330 withdrawn.*

### **Departmental Properties**

331. **Deputy Peadar Tóibín** asked the Minister for Social Protection the numbers and locations, of buildings his Department lease that are in upwardly only rent contracts and how much those rents have been for 2008, 2009, 2010 and expected rents for 2011. [21902/11]

332. **Deputy Peadar Tóibín** asked the Minister for Social Protection the numbers and locations of buildings her Department lease that are in upwardly only rent contracts; the amount of rent for 2008, 2009, 2010 and the expected rent for 2011. [21903/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 331 and 332 together.

The Office of Public Works (OPW) has responsibility for the acquisition and maintenance of office accommodation for the Department of Social Protection.

[Deputy Joan Burton.]

I understand that the information requested by the Deputy in relation to any buildings associated with the Department that are in upwardly only rent contracts, is being compiled by the OPW on foot of a similar Question from the Deputy to the Minister for Public Expenditure, and will be provided as soon as possible.

### **Social Welfare Benefits**

333. **Deputy Finian McGrath** asked the Minister for Social Protection if she will support the case of a person (details supplied) in Dublin 5. [21920/11]

**Minister for Social Protection (Deputy Joan Burton):** My Department will spend over €530 million in 2011 on the fuel scheme and the telephone, gas and electricity elements of the household benefits package which will benefit over 630,000 people. Difficult decisions have had to be made in light of commitments made by the previous Government. Unfortunately, I am not in a position to reconsider the changes to the fuel allowance and household benefits package which were announced last week.

Under the Department's supplementary welfare allowance scheme, a special heating supplement may be paid to assist people in certain circumstances who have special heating needs because of ill health or infirmity. In addition, exceptional needs payments (ENP) may be made to help meet an essential, once-off cost which an applicant is unable to meet out of his or her own resources.

From September 2011 the fuel allowance is to be standardised at €20 per week, the rate currently received by the majority of customers who receive no additional allowance for living in a smokeless area. The cost of the telephone allowance will be reduced following negotiations with Eircom which will ensure that customers receive €26.86 of value on their bills, at a cost to the State of €22.22 per month. The number of free units provided under the electricity and gas allowance will be reduced to the level at the start of 2007 (from 2,400 to 1,800). These three measures will generate savings of €17 million in 2011 and €65 million annually.

While of course we want to protect the basic social welfare payments which have very positive economic and social effects, regrettably there is an ongoing necessity to achieve savings due to our commitments with the IMF/EU/ECB Troika. There will be an ongoing necessity to curtail overall expenditure in 2012 and in later years.

Energy poverty is a factor of income, energy prices and the thermal efficiency of the home. The most cost-effective means of protecting households from energy poverty is to reduce their consumption of energy through improving the thermal efficiency of the home. Sustainable Energy Ireland has administered an energy efficiency programme for privately owned low income households (Warmer Homes) since 2001. Over 65,000 such households have benefited to date, with a further 15,000 expected to receive energy efficiency upgrades this year. A similar upgrade programme is also in place for local authority houses.

334. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when a review will take place for jobseeker's allowance in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [21924/11]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for jobseeker's allowance on 20 December 2010. His application was disallowed as his weekly means exceeded the scheduled limit. He was advised of his right to appeal but no appeal was lodged.



It is open to the person concerned, if there is a change in his circumstances, to re-apply for jobseeker's allowance and to have his means re-assessed.

335. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an application for the back to school clothing and footwear allowance in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [21949/11]

**Minister for Social Protection (Deputy Joan Burton):** The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. Those customers who did not receive an automated payment are required to complete an application form that is available for download from *www.welfare.ie* or by texting "Form BTSCFA", followed by their name and address to 51909.

Processing has begun on the manual applications already received and it will take 4-6 weeks to process applications. In all cases a letter will issue to applicants informing them of the decision and, where payment has been awarded, when and where they can collect the payment. In the case of refusal of the allowance the procedures for review of the decision will be outlined to customers. Due to the large volume of applications received, information regarding the receipt or progress of individual applications will not be available until such time as the applications have been examined and a decision taken.

#### **Social Welfare Appeals**

336. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite and approve payment of a jobseeker's assistance claim in respect of a person (details supplied) in County Westmeath; and if this person's claim for child benefit will be approved; and if she will make a statement on the matter. [21956/11]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an oral hearing of the jobseeker's allowance appeal, of the person concerned, took place on 15 July 2011 and the Appeals Officer is now considering the appeal in the light of all the evidence submitted, including that adduced at the hearing. The person concerned will be notified of the Appeals Officer decision when the appeal has been determined. With regard to the child benefit claim, of the person concerned, the Social Welfare Appeals Office has advised me that an Appeals Officer, having fully considered all the evidence, disallowed the appeal by way of summary decision. The Appeals Officers decision issued 12 August 2010 and no subsequent child benefit appeal has been received by that office. 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.

337. **Deputy Noel Harrington** asked the Minister for Social Protection when a person (details supplied) in County Cork will receive a date for their oral hearing; and if she will make a statement on the matter. [21961/11]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the person concerned will receive a date for their oral hearing in the next two weeks.

338. **Deputy Jack Wall** asked the Minister for Social Protection the position regarding an appeal in respect of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [21962/11]

**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 19 April 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Benefits**

339. **Deputy Noel Coonan** asked the Minister for Social Protection the position regarding an application for back to school clothing and footwear 2010 in respect of a person (details supplied) in County Tipperary who appealed the decision on an application last year and is still awaiting a decision; the reason for the delay in same; and if she will make a statement on the matter. [21963/11]

**Minister for Social Protection (Deputy Joan Burton):** The supplementary welfare allowance scheme is administered on behalf of the Department by the community welfare division of the Health Service Executive (HSE). The HSE has advised that they have reviewed the decision to disallow her application for the 2010 back to school clothing and footwear allowance and that a payment of €705.00 has now been awarded. The payment will issue to the person concerned in the coming days.

### **Social Welfare Appeals**

340. **Deputy Finian McGrath** asked the Minister for Social Protection if she will support a person (details supplied) regarding rent allowance. [21964/11]

**Minister for Social Protection (Deputy Joan Burton):** Supplementary welfare allowance which includes rent supplement is administered on behalf of the Department by the Community Welfare Services division of the Health Service Executive (HSE).

The HSE has advised that the person concerned was refused a rent supplement on the grounds that she had vacated her local authority provided accommodation without satisfying the HSE that there was good cause for doing so. The HSE has acknowledged the receipt of appeal from the person concern and has advised that a decision will be made by its designated Appeals Officer in due course.

### **National Lottery Funding**

341. **Deputy Paudie Coffey** asked the Minister for Social Protection the amount of national lottery funding her Department received in 2009 and 2010; if she will provide a list of the money that was spent in tabular form. [21981/11]

**Minister for Social Protection (Deputy Joan Burton):** This Department did not receive any funding from the National Lottery in 2009 and 2010.

### Social Welfare Benefits

342. **Deputy Tom Hayes** asked the Minister for Social Protection when payment will be awarded in respect of a person (details supplied) in County Tipperary in respect of the back to school clothing and footwear scheme; and if she will make a statement on the matter. [22004/11]

**Minister for Social Protection (Deputy Joan Burton):** The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. Those customers who did not receive an automated payment are required to complete an application form that is available for download from *www.welfare.ie* or by texting “Form BTSCFA”, followed by their name and address to 51909.

Processing has begun on the manual applications already received and it will take 4-6 weeks to process applications. In all cases a letter will issue to applicants informing them of the decision and, where payment has been awarded, when and where they can collect the payment. In the case of refusal of the allowance the procedures for review of the decision will be outlined to customers.

Due to the large volume of applications received, information regarding the receipt or progress of individual applications will not be available until such time as the applications have been examined and a decision taken.

### Social Welfare Appeals

343. **Deputy Robert Troy** asked the Minister for Social Protection the procedure to be followed to undertake a full review of an application for supplementary welfare and rent allowance in the case of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [22008/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive has advised that there is no record of an application for assistance under the supplementary welfare allowance scheme from the person concerned.

### Social Welfare Benefits

344. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite and approve an application for the back to school clothing and footwear scheme in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [22009/11]

**Minister for Social Protection (Deputy Joan Burton):** The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. Those customers who did not receive an automated payment are required to complete an application form that is available for download from *www.welfare.ie* or by texting “Form BTSCFA”, followed by their name and address to 51909.

Processing has begun on the manual applications already received and it will take 4-6 weeks to process applications. In all cases a letter will issue to applicants informing them of the decision and, where payment has been awarded, when and where they can collect the payment.

[Deputy Joan Burton.]

In the case of refusal of the allowance the procedures for review of the decision will be outlined to customers.

Due to the large volume of applications received, information regarding the receipt or progress of individual applications will not be available until such time as the applications have been examined and a decision taken.

345. **Deputy Tom Hayes** asked the Minister for Social Protection when a decision on an application under the back to school clothing and footwear scheme will issue to a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [22012/11]

**Minister for Social Protection (Deputy Joan Burton):** The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. Those customers who did not receive an automated payment are required to complete an application form that is available for download from *www.welfare.ie* or by texting “Form BTSCFA”, followed by their name and address to 51909.

Processing has begun on the manual applications already received and it will take 4-6 weeks to process applications. In all cases a letter will issue to applicants informing them of the decision and, where payment has been awarded, when and where they can collect the payment. In the case of refusal of the allowance the procedures for review of the decision will be outlined to customers. Due to the large volume of applications received, information regarding the receipt or progress of individual applications will not be available until such time as the applications have been examined and a decision taken.

### **Redundancy Payments**

346. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite and approve an application for redundancy in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [22015/11]

**Minister for Social Protection (Deputy Joan Burton):** I can confirm that the notification of redundancy in respect of the individual in this question was received on 16 May, 2011 and awaits processing.

### **Social Welfare Appeals**

347. **Deputy Sean Fleming** asked the Minister for Social Protection if, in view of the independence of the social welfare appeals office in making decisions, a case will be re-examined in the appeal for a disability allowance in respect of a person (details supplied) in County Laois; and if she will make a statement on the matter. [22069/11]

**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. Under Social Welfare legislation, the decision of the Appeals Officer is final and conclusive and may only be reviewed by the Appeals Officer in the light of new evidence or new facts. Following the submission of additional evidence the Appeals Officer agreed to review the case. The person concerned will be contacted when the review of his appeal has been finalised. 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.

348. **Deputy Aodhán Ó Ríordáin** asked the Minister for Social Protection the position regarding a disability allowance appeal in respect of a person (details supplied) in Dublin 3; and if she will make a statement on the matter. [22077/11]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the disability allowance claim of the person concerned was disallowed following an assessment by a Medical Assessor who expressed the opinion that she was medically unsuitable for the allowance. An appeal was registered on 19 July 2011 and in accordance with the statutory procedures the relevant department papers and the comments of the Social Welfare services on the matter raised in the appeal have been sought. In that context, an assessment by another Medical Assessor will be carried out. 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.

349. **Deputy Billy Timmins** asked the Minister for Social Protection the position regarding carer's allowance in respect of a person (details supplied) in County Wicklow; and if she will make a statement on the matter. [22079/11]

**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 21 December 2010. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 07 April 2011 and the appeal has been referred to an Appeals Officer who will shortly decide whether the case can be decided on a summary basis or whether to list it for oral hearing. End of Take Section WRS follows.

350. **Deputy Michael Creed** asked the Minister for Social Protection the position regarding the entitlement of Irish passport holders not resident here but who wish to retire here to non-contributory pension payment; and if, in the circumstances of a case (details supplied), she will review her decision in view of the extraordinary humanitarian situation involved; and if she will make a statement on the matter. [22087/11]

**Minister for Social Protection (Deputy Joan Burton):** In order to qualify for State pension non-contributory (SPNC) an applicant must be residing in the State and satisfy the habitual residence conditions for receipt of prescribed payments from my Department. The couple in question came to Ireland on 1 June 2011 and applied for SPNC while residing with their daughter. The couple subsequently returned to their home country shortly thereafter.

As the couple were in the State for a very short period, their applications were disallowed as the residency condition for receipt of SPNC was not satisfied. On the basis of information provided to my Department by the couple, it would appear that the couple's main centre of interest is outside Ireland and therefore, the habitual residence condition is also not satisfied.

### **Social Welfare Benefits**

351. **Deputy Robert Troy** asked the Minister for Social Protection if she will expedite and approve an application for supplementary welfare allowance in respect of a person (details supplied) in County Westmeath; and if she will make a statement on the matter. [22100/11]

**Minister for Social Protection (Deputy Joan Burton):** The position remains as advised in question number 160 which I answered for the Deputy on 14 July 2011. The HSE advised that a decision will be made on this case shortly.

### Social Welfare Code

352. **Deputy Eoghan Murphy** asked the Minister for Social Protection if any steps are in place to review the personal public service system in view of the discrepancy between the quantity of personal public service numbers in circulation and population figures. [22125/11]

**Minister for Social Protection (Deputy Joan Burton):** The two sets of figures referred to by the Deputy are not directly comparable, as one refers to the numbers issued since 1979 and the other refers to the current population. In that context, there is no discrepancy.

The Department of Social Protection is responsible for maintaining the national database of Personal Public Service (PPS) numbers which are stored on the Department's Central Records System (CRS). There are currently 7.4 million customer records on CRS each of which is identified by a unique PPS number. The PPS number in its current format was originally a tax reference number. With the introduction of Pay Related Social Insurance (PRSI) in 1979 an individual's Pay As You Earn (PAYE) tax reference number became known as a Revenue and Social Insurance (RSI) number. The RSI number was re-named the Personal Public Service (PPS) number in 1998 to reflect its future use as a unique identifier across the wider public service.

CRS is a complete database of all the historical tax reference numbers which were used to pre-populate the database in 1979 and every PPS number which has been issued since then. In addition to those persons currently resident in the State who have been issued with a PPS Number, the figure of 7.4 million also includes any individual who, since 1979, required a PPS number and;

- 1) has died,
- 2) has been resident in the State and has subsequently left the jurisdiction, and
- 3) has not been resident in the State (e.g. an individual resident abroad who has benefited from an Irish Estate — the Revenue Commissioners have a requirement that all beneficiaries of Irish Estates should have a PPS number)

The Department is continuously monitoring customer records on its CRS in order to preserve and enhance the quality of the data including, where appropriate, consolidating duplicate PPS numbers as they emerge.

### Pension Provisions

353. **Deputy Ciara Conway** asked the Minister for Social Protection the position regarding the transitional pension; if same will come to an end in 2013; and if she will make a statement on the matter. [22149/11]

**Minister for Social Protection (Deputy Joan Burton):** The challenges facing the Irish pension system are significant. In particular, the task of financing increasing pension spending will fall to a diminishing share of the population. There are currently six workers for every pensioner and this ratio is expected to decrease to less than two to one by 2050.

Increasing State pension age is one of the ways in which we can sustain the pensions system and also maintain the value of the State pension at 35% of average earnings. Extending State retirement age will also encourage and support those who have private or occupational pensions to remain longer in the workforce. This will improve overall pension sustainability and

reduce costs for the employer. People are living longer and healthier lives with average life expectancy set to rise even further in the future and people will still, therefore, be spending at least the same amount of time in retirement as they are today, even with a later State pension age.

Therefore, as provided for in recent legislation, State pension age will be increased gradually to 68 years. This will begin in 2014 with the standardisation of the State pension age at 66 and will be increased to 67 years in 2021 and to 68 in 2028.

These legislative changes also fulfil one of the requirements set out under the EU/IMF/ECB Memorandum of Understanding.

The National Pensions Framework, published in March 2010 sets out future pension reforms which aim to deliver security, equity, choice and clarity for the individual, the employer and the State. It also aims to increase pension coverage, particularly among low to middle income groups and includes proposals for an auto enrolment scheme to provide access to private pensions.

The Framework also recognises that many people want to have the option to work longer and proposes, for those who wish to postpone drawing down their State pension, to put in place arrangements to enable them to receive an actuarially increased benefit. In addition, for those with contribution shortfalls at pension age, arrangements will be put in place to allow them to receive additional benefits if they continue to make paid contributions for pensions purposes while remaining in work or self-employment.

The details and timeframes for these changes are set out in the National Pensions Framework, which was published on 3 March 2010. An implementation group chaired by my Department is developing the legislative, regulatory and administrative infrastructure required to put the necessary reforms into operation.

### **Social Welfare Appeals**

354. **Deputy Brendan Ryan** asked the Minister for Social Protection if she will expedite a domiciliary care allowance appeal in respect of a person (details supplied) in County Dublin; the reason the child in question needs were deemed not substantial by her Department when at the same time the Health Service Executive and Department of Education and Skills agreed the child be granted a full-time special needs assistant and four hours resource teaching per week; and if she will make a statement on the matter. [22157/11]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received on 4th May 2011. It was referred to one of the Department's Medical Assessors who found that the child was not medically eligible for domiciliary care allowance. A letter issued to the person concerned on 4th July 2011 advising her of the decision to refuse the allowance.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office. The person concerned has recently submitted additional information in support of her application and has requested a review of the decision. The case, including the additional information provided, is currently being reviewed by another Medical Assessor.

### **Departmental Funding**

355. **Deputy Thomas P. Broughan** asked the Minister for Social Protection if core funding

[Deputy Thomas P. Broughan.]

for a centre (details supplied) in Dublin 17 will be provided in the social protection budget for 2012; and if she will make a statement on the matter. [22174/11]

356. **Deputy Terence Flanagan** asked the Minister for Social Protection if there will be a permanent funding stream for a law centre (details supplied) in Dublin 17; and if she will make a statement on the matter. [22219/11]

**Minister for Social Protection (Deputy Joan Burton):** I propose to take Questions Nos. 355 and 356 together.

The Department has invested significant funding in the law centre concerned over the years in support of the services it provides to the Dublin 17 area.

The funding is provided under the scheme of grants for the development and promotion of information and welfare rights. In considering previous applications the Department has advised the organisation that in view of the range of activities carried out by the centre it should be appropriate for the centre to seek to secure future funding from more appropriate revenue sources in the public and private sectors.

In 2011, funding of some €350,000 has been allocated to the law centre.

### Social Welfare Benefits

357. **Deputy Brendan Ryan** asked the Minister for Social Protection the number of domiciliary care allowance claims that have been approved and refused since the administration of the scheme was taken over by her Department in 2009; the number of these refusals that were for children with autism spectrum disorder, ASD; her plans to recognise ASD as a condition under the scheme; and if she will make a statement on the matter. [22222/11]

**Minister for Social Protection (Deputy Joan Burton):** The Department has had responsibility for processing domiciliary care allowance claims since 1st April 2009. The following table sets out the most up to date statistics available on all applications received for the scheme.

	Applications received	Applications fully processed	Applications allowed	Applications refused
2009 (From 1st April)	3,389	2,823	1,220	1,603
2010	5,457	5,333	2,576	2,757
2011 (to 31st May)	2,457	2,227	1,029	1,198

In the period 1st April 2009 to 31st March 2011, a total of 920 applications were processed with a medical condition within the autism spectrum. Of these, 507 (55%) were deemed to satisfy the qualifying criteria, with 413 (45%) not satisfying the criteria.

Autism Spectrum Disorder is treated in the same manner as any other disability or condition under the scheme. Qualification for the scheme is not based on the disability of the child but on the level of additional care required. In order to qualify for domiciliary care allowance, a child must have a disability so severe that it requires him/her to need care and attention and/or supervision substantially in excess of another child of the same age and must be likely to require this level of care and attention for at least 12 months.

### Departmental Agencies

358. **Deputy Ciara Conway** asked the Minister for Social Protection the progress that has



been made to convert the Money Advice and Budgeting Service into a strengthened personal debt management agency with strong legal powers and a quasi-judicial status; when the body will become a reality; and if she will make a statement on the matter. [22241/11]

**Minister for Social Protection (Deputy Joan Burton):** The Money Advice and Budgeting Service (MABS) assists people who are over-indebted and need help and advice in coping with debt problems. There are 52 independent MABS companies operating the local MABS services from 65 locations throughout the country, with national support provided by the MABS NDL. In addition, the MABS National Telephone Helpline is available from 9am to 8pm Monday to Friday and the MABS website can be accessed 24 hours a day at [www.mabs.ie](http://www.mabs.ie). Some 90% of clients presenting to MABS are assisted through the telephone helpline, which provides assisted self-help to ensure clients take steps to assess and address their situation.

Responsibility for the Money Advice and Budgeting Service (MABS) transferred to the Citizens Information Board (CIB) in 2009 to provide strong management support to the local voluntary MABS companies. As part of the ongoing review of its services the Board have put a new organisational structure in place, since April 2011, which enables CIB regional managers to get a greater insight into the nature of supports required by MABS companies on the ground to deliver an effective service.

The CIB recently submitted a position paper setting out options for the future shape of MABS taking into consideration commitments in the Programme for Government and recommendations contained in the final reports of the Law Reform Commission on Personal Debt Management and Debt Enforcement, and the Expert Group on Mortgage Arrears and Personal Debt. This paper is currently under consideration.

In addition, The Citizens Information Board and the Department are also engaged with the Department of Justice and Equality concerning their plans for reform of personal insolvency law, and the role of MABS, in the context of the recommendations of the Law Reform Commission.

I am satisfied that MABS will continue to provide a high quality personal service to assist people in overcoming their indebtedness and managing their finances.

359. **Deputy Shane Ross** asked the Minister for Social Protection the sum of any public funds and their purpose which have been awarded by her Department either directly or indirectly to the Irish Business and Employers Confederation in the past decade. [22269/11]

**Minister for Social Protection (Deputy Joan Burton):** The amount of expenditure incurred by this Department in relation to payments to the Irish Business and Employers Confederation in the past decade is set out in the table.

Year	Amount (€)
2000	200
2001	969
2002	Nil
2003	450
2004	70
2005	Nil
2006	Nil
2007	1,650
2008	375

[Deputy Joan Burton.]

Year	Amount (€)
2009	498
2010	Nil
2011 to date	Nil

### Social Welfare Appeals

360. **Deputy Martin Ferris** asked the Minister for Social Protection when a decision on appeal for carer's benefit will issue in respect of a person (details supplied) in County Kerry. [22278/11]

**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 20 July 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by the Social Welfare Services on the grounds of appeal be sought. When received, the appeal in question will be referred to an Appeals Officer for consideration. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### Social Welfare Benefits

361. **Deputy Martin Ferris** asked the Minister for Social Protection when a decision on an application will issue in respect of a person (details supplied), County Kerry. [22279/11]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received on 24th June 2011. The application has been forwarded to one of the Department's Medical Assessors for a medical opinion. A decision will issue to the person concerned when the Medical Assessor's opinion is received.

362. **Deputy Pearse Doherty** asked the Minister for Social Protection if she will provide a full list of all social welfare payment schemes and the number of claimants in receipt of each payment; the number of undecided applications for each payment current on file; the average time it takes to process payments for each scheme; the average time it takes to hear appeals for each scheme and the percentage of appeals granted per scheme; and if she will make a statement on the matter. [22282/11]

**Minister for Social Protection (Deputy Joan Burton):** The information requested by the Deputy is set out in the following tabular statements.

Table 1 gives the full list of recipients of weekly social welfare payments at the end of June by payment scheme.

Table 2 gives undecided applications and the average time to award applications for the main schemes within my Department in June 2011.

I am informed by the Social Welfare Appeals Office that the overall average waiting time for an appeal dealt with by way of a summary decision in 2010 was 27.4 weeks, while the average time to process an oral hearing was 45.6 weeks. These processing times are calculated from the registration date of the appeal to the date of its finalisation and include all activities during this period including time spent in the Department for comments by the Deciding Officer on the grounds of appeal put forward by the appellant and any further investigation,

examination or assessment by the Department's Inspectors and Medical Assessors that is deemed necessary. A considerable period of time is added to the process when an oral hearing is required because of the logistics involved in this process.

Table 3 gives the average processing times for appeals, by scheme. Figures for the percentage of appeals granted per scheme are not readily available but overall figures for 2010 are attached in Table 4.

Table 1: Social Welfare Payment Schemes and number of recipients

Type of Payment	Recipients
State Pension (Contributory)	288,989
State Pension (Transition)	11,088
State Pension (Non-Contributory)	96,438
Pre-Retirement Allowance	5,410
Widow/er's or Surviving Civil Partner's Contributory Pension	115,041
Widow/er's or Surviving Civil Partner's Non-Contributory Pension	1,975
Deserted Wife's Benefit	8,223
Deserted Wife's Allowance	457
One Parent Family Payment	92,863
Maternity Benefit	22,651
Health and Safety Benefit	60
Adoptive Benefit	68
Guardian's Payment (Contributory)	878
Guardian's Payment (Non-Contributory)	431
Illness Benefit	77,046
Invalidity Pension	50,335
Injury Benefit	831
Interim Illness Benefit	274
Disablement Pension	13,767
Death Benefit (OIB Widows)	630
Disability Allowance*	101,605
Carer's Benefit	1,707
Carer's Allowance	51,115
Blind Pension	1,491
Jobseeker's Benefit	108,409
Jobseeker's Allowance	291,298
Back To Work Allowance Employee	480
<i>Back To Work Enterprise Allowance:</i>	
— Self Employed First Year	5,466
— Self Employed Years 2 — 4	4,135
Back To Education Allowance	4,478
Part-Time Job Incentive Scheme	161
Family Income Supplement	24,236
Farm Assist	11,144
Supplementary Welfare Allowance	35,843
Rent Allowance	163

\*Disability Allowance figure is for May 2011

[Deputy Joan Burton.]

Table 2: Number of undecided applications and the average time to award an application for the main schemes

	Undecided Applications	Average Weeks to Award
Jobseeker's Benefit	9,914	2
Jobseeker's Allowance	26,595	4
One-Parent Family Payment	4,591	17
Illness Benefit	11,439	2
Family Income Supplement (new claims)	8,305	15
Family Income Supplement (renewals)	6,638	17
Carer's Allowance	5,238	13
Disability Allowance	7,173	17
Invalidity Pension	5,507	Not Available
State Pension Contributory	3,103	5
State Pension Transition	2,270	5
Widow/er's or Surviving Civil Partner's Contributory Pension	477	2
State Pension Non-Contributory	*1,656	15
Widow/er's or Surviving Civil Partner's Non-Contributory Pension	132	9
Household Benefits	3,023	2
Free Travel	105	5
Domiciliary Care Allowance	889	9
Child Benefit Domestic (family)	2,674	2
Child Benefit EU	2,827	41
Maternity Benefit	3,544	Not applicable

\*Due to a change in IT systems and reporting mechanisms data for State Pension Non-Contributory June 2011 is not readily available. This figure is based on an average year to date.

Table 3: Average processing times (in weeks) for appeals

	Average time taken to process appeals by summary decision by scheme in 2010	Average time taken to process appeals following oral hearing by scheme in 2010
Adoptive Benefit	32.6	—
Blind Pension	19.8	39.4
Carers Allowance	26.9	47.3
Carers Benefit	21.6	44.2
Child Benefit	48.4	63.1
Disability Allowance	30.8	51.1
Illness Benefit	39.2	56.4
Domiciliary Care	26.8	49.1
Deserted Wives Benefit	33.9	29.0
Farm Assist	23.2	50.7
Bereavement Grant	25.1	—
Family Income Supplement	21.4	29.0
Homemakers	15.3	—
Invalidity Pension	40.9	59.7
Liabile Relatives	35.9	—
One Parent Family Payment	30.2	49.4

	Average time taken to process appeals by summary decision by scheme in 2010	Average time taken to process appeals following oral hearing by scheme in 2010
Maternity Benefit	37.7	—
State Pension (Contributory)	29.6	49.2
State Pension (Non-Cont)	26.5	49.9
State Pension (Transition)	30.7	—
Occupational Injury Benefit	55.7	53.8
Occupational Injury Benefit (Med)	32.5	67.9
Disablement Pension	27.4	51.9
Death Benefit (Pension)	—	69.6
Incapacity Supplement	—	30.7
Guardian's Payment (Con)	25.3	48.3
Guardian's Payment (Non Con)	24.3	42.2
Pre-Retirement Allowance	—	—
Jobseeker's Allow (Means)	22.2	46.9
Jobseeker's Allowance	23.6	43.0
Jobseeker's Benefit	22.6	36.0
JA/JB Fraud Control	—	—
Respite Care Grant	30.5	49.1
Insurability of Employment	31.3	67.4
Supplementary Welfare All	6.9	14.8
Treatment Benefits	21.9	57.8
Widow/er's or Surviving Civil Partner's Contributory Pension	35.2	53.6
Widow/er's or Surviving Civil Partner's Non-Contributory Pension	31.9	54.6
Widows Parent Grant	20.9	—

Table 4: Percentage of appeals granted per scheme

## Outcomes of Appeals Disposed of During 2010

Appeals Determined by Appeals Officers					
Revised Decisions by Deciding Officers	Allowed	Partially Allowed	Appeals Disallowed	Appeals Withdrawn	Total
7,282	4,124	623	12,752	3,385	28,166
Oral Hearing	2,094	389	3,031		
Summary Decison	2,030	234	9,721		

**Social Welfare Appeals**

363. **Deputy John McGuinness** asked the Minister for Social Protection if disability allowance has been approved in respect of a person (details supplied) in County Kilkenny. [22316/11]

**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 11 April 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.

[Deputy Joan Burton.]

These papers were received in the Social Welfare Appeals Office on 15 June 2011 and the appeal will be referred to an Appeals Officer, in due course, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Benefits**

364. **Deputy John McGuinness** asked the Minister for Social Protection if back to school allowance was approved in respect of a person (details supplied) in County Carlow. [22320/11]

**Minister for Social Protection (Deputy Joan Burton):** The administrative arrangements for the 2011 back to school clothing and footwear allowance scheme differ from those that applied in previous years. For this year, the majority of back to school clothing and footwear allowance entitlements were fully automated with no application form required from customers. Those customers who did not receive an automated payment are required to complete an application form that is available for download from *www.welfare.ie* or by texting “Form BTSCFA”, followed by their name and address to 51909.

Processing has begun on the manual applications already received and it will take 4-6 weeks to process applications. In all cases a letter will issue to applicants informing them of the decision and, where payment has been awarded, when and where they can collect the payment. In the case of refusal of the allowance the procedures for review of the decision will be outlined to customers.

Due to the large volume of applications received, information regarding the receipt or progress of individual applications will not be available until such time as the applications have been examined and a decision taken.

### **Social Welfare Appeals**

365. **Deputy John McGuinness** asked the Minister for Social Protection if an appeal relative to an application for disability allowance will be expedited and approved in respect of a person (details supplied). [22324/11]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that the disability allowance claim of the person concerned was disallowed following an assessment by a Medical Assessor who expressed the opinion that he was medically unsuitable for the allowance. An appeal was registered on 20 July 2011 and in accordance with the statutory procedures the relevant department papers and the comments of the Social Welfare services on the matter raised in the appeal have been sought. In that context, an assessment by another Medical Assessor will be carried out. The Social Welfare Appeals Office functions independently of the Minister for Social and Family Affairs and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Benefits**

366. **Deputy Michael McGrath** asked the Minister for Social Protection the position regarding an application for child benefit payment in respect of a person (details supplied) in County Cork. [22344/11]

**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 7 February 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 14 July 2011 and the appeal will be referred in due course to an Appeals Officer, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Social Welfare Appeals**

367. **Deputy Jim Daly** asked the Minister for Social Protection the reason an application for disability allowance in respect of a person (details supplied) has not yet been completed, noting that a letter issued from the social welfare appeals office on the 31 May 2011; and if she will make a statement on the matter. [22345/11]

**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 7 February 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 14 July 2011 and the appeal will be referred in due course to an Appeals Officer, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

### **Energy Conservation**

368. **Deputy John Lyons** asked the Minister for Social Protection the role officials in her Department have or could play in identifying homes that are most in need of retrofitting; her views that this could aid the prioritisation of homes for retrofitting of insulation; and if she will make a statement on the matter. [22395/11]

**Minister for Social Protection (Deputy Joan Burton):** My Department has no function in relation to the retrofitting of homes. The responsibility for this function rests with my colleague the Minister for Communications, Energy and Natural Resources.

### **Social Welfare Code**

369. **Deputy John Lyons** asked the Minister for Social Protection her plans to ensure that rent supplement is only paid to landlords who are tax compliant and registered with the Private Residential Tenancies Board; if she has figures of the estimated number of landlords in receipt of the payment who are not compliant or registered or both; and if she will make a statement on the matter. [22405/11]

**Minister for Social Protection (Deputy Joan Burton):** Under the Residential Tenancies Act 2004, landlords are legally obliged to register tenancies with the Private Residential Tenancies Board (PRTB). However, not all tenancies are required to be registered with the PRTB as the relevant legislation, the Residential Tenancies Act, provides for certain exceptions.

[Deputy Joan Burton.]

Where registration is required, the landlord has up to one month after the commencement of the tenancy to register it with the PRTB at the standard fee and longer to register at a higher fee. It is therefore not practical for the Department to insist that a tenancy be registered before rent supplement can be paid to the tenant as the establishment of the tenancy will be dependent on rent supplement being awarded.

The Department works closely with the Private Residential Tenancies Board (PRTB) to help ensure that rent supplement tenancies comply with the statutory system of tenancy regulation and safeguards. The Department advises the PRTB of all new rent supplemented tenancies to assist them in implementing tenancy regulations and co-operates in any initiatives taken by the PRTB to ensure compliance with the provisions of the Residential Tenancies Act.

Over the years the Department has been working closely with the Revenue Commissioners to ensure that landlords who benefit from monies paid out under the rent supplement scheme comply with their obligations under the Taxes Acts. Section 7 of the Social Welfare and Pensions Act 2010 provides that from 1st January 2011, rent supplement should not be payable in respect of a tenancy where the landlord:

- i. has not provided the HSE with a Tax Reference Number in a prescribed form, or
- ii. has not advised the HSE in a prescribed form that she/he has no Tax Reference Number and has not notified the HSE the reasons why she/he has no Tax Reference Number

The Taxes Acts place an obligation on the Department to provide the Revenue Commissioners with payment details relating to rent supplement on an annual basis. Section 7 of the Social Welfare and Pensions Act 2010 will help ensure that those benefiting from the rent supplement scheme are tax compliant.

370. **Deputy John Lyons** asked the Minister for Social Protection the assessments made of accommodation standards for recipients of rent supplement; and if she will make a statement on the matter. [22406/11]

**Minister for Social Protection (Deputy Joan Burton):** Responsibility for setting and enforcing housing standards rests with the Local Authorities. However, accommodation occupied by rent supplement tenants should at least meet minimum housing standards. In consultation with the Department of Environment, Community and Local Government (DOEHLG), S.I. No. 572 of 2006 and Section 25 of Social Welfare and Pensions Act 2007 introduced the condition that allows the Health Service Executive (HSE) to decide that a rent supplement may not be payable where it has been notified by a housing authority regarding the non-compliance with standards. Where such a notification is received from a housing authority in respect of an existing tenant it is recommended that the HSE would discuss the situation with the tenant and take whatever action it decides is necessary in the best interests of the tenant. It is envisaged that new rent supplement claims in respect of properties that have been notified as being below standard, will not, in general, attract a rent supplement payment.

This condition is aimed at improving the standards of accommodation which rent supplement tenants occupy and will support the Local Authority in meeting their responsibilities in relation to housing standards.

371. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when disability allowance or invalidity pension will be awarded — currently on appeal — in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22424/11]



**Minister for Social Protection (Deputy Joan Burton):** The person concerned applied for disability allowance on 14 July 2010. His claim was referred to one of the department's medical assessors who was of the opinion that the person was not medically suitable for disability allowance. The deciding officer accepted this opinion and his claim was refused and the person was notified in writing of this decision on 15 November 2010. The person subsequently appealed this decision to the Social Welfare Appeals Office. Based on the evidence before him the appeals officer found that the person concerned was not substantially restricted in undertaking suitable employment by reason of a specified disability within the meaning of Social Welfare legislation and the appeal was not allowed. The applicant was notified of this decision in writing by the Social Welfare Appeals Office on 8 July 2011. An appeal officer's decision is final and conclusive in the absence of any fresh facts or evidence. No application has been received to date for an invalidity pension from the person concerned and an application will now be sent to him.

### **Redundancy Payments**

372. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if and when redundancy payment will issue with full entitlement in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [22425/11]

**Minister for Social Protection (Deputy Joan Burton):** My Department has not received a notification of redundancy in respect of the individual concerned.

### **Social Welfare Benefits**

373. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if a person (details supplied) in County Kildare qualifies for contributory old age State pension on foot of self-employment contributions under the 1998 Act; and if she will make a statement on the matter. [22427/11]

**Minister for Social Protection (Deputy Joan Burton):** To date, the Department has not received a claim for State pension (contributory) from the person concerned. He has been forwarded a claim form. On receipt of the completed claim form, his entitlement to pension will be fully examined and he will be notified of the outcome without delay.

### **Programme for Government**

374. **Deputy Robert Troy** asked the Minister for Social Protection when she proposes to establish a national employment and entitlement service as promised in the programme for Government; and if she will make a statement on the matter. [22440/11]

**Minister for Social Protection (Deputy Joan Burton):** My Department is establishing a new National Employment and Entitlements Service, as provided for in the Programme for Government, which will integrate employment and benefit payment services within the Department. As part of the process of establishing and developing this new service, the Department has commenced a major and comprehensive programme of change management entailing the integration of services previously, or currently, provided by other agencies — including both the Employment Services and Community Employment Programmes of FÁS and the Community Welfare Services (CWS) of the HSE.

With regard to the timeline for the development of the National Employment and Entitlements Service the assignment and integration of functions and the full transformation to a case management approach focussed on activation, will be a multi-annual programme of work.

[Deputy Joan Burton.]

However, significant progress has already been made and many aspects of the new service will be delivered within the coming twelve months.

The administration of the supplementary welfare allowance scheme has already been transferred to the Department of Social Protection with the secondment of the Community Welfare Service from the Health Service Executive at the beginning of this year. The intention is to have the staff fully transferred into the Department by the end of September this year. This will enable the Department to integrate the payment of all benefits into one organisation simplifying customer processes.

Planning for the transfer and integration of the Employment Services and Community Employment Services of FÁS to the Department has already commenced and it is envisaged that the transfer of staff will commence later this year. Again this will enable the Department to simplify and integrate the delivery of employment support services to customers. Even in advance of integration, FÁS and the Department are already working on a number of pilot projects in relation to the development of case management, the identification of those who are most at risk of falling into long-term unemployment, and the provision of appropriately tailored responses to their needs. These pilot projects will be completed and evaluated in the coming months after which approaches will be developed for their rollout nationwide as part of the National Employment and Entitlements Service.

As part of such an approach, FÁS and the Department have worked closely together on the development the National Internship Scheme which was launched by the Taoiseach on the 30 June this year. It is expected that this scheme will provide 5,000 internships of up to nine months duration and participants will retain their social welfare entitlements and will receive a ‘top-up’ of €50 per week. The scheme, which will be the first public manifestation of the National Employment and Entitlements Service, is already receiving strong support from the business community and potential participants.

### **Departmental Agencies**

375. **Deputy Anne Ferris** asked the Minister for Social Protection the steps she is taking to ensure that the membership of State boards comprises at least 40% of each gender, as provided for in the programme for Government. [22465/11]

**Minister for Social Protection (Deputy Joan Burton):** There are three State Boards for which the Minister for Social Protection has responsibility — the Citizens Information Board, Pensions Board and the Social Welfare Tribunal. In addition, while the Pensions Ombudsman comes within the remit of the Minister for Social Protection, this statutory body does not have a board. When filling vacancies to these State Boards every effort is made to comply with the requirement to have at least 40% of each gender represented on the Board. In this regard, the relevant legislative provisions governing the membership of the Citizens Information Board require that not less than 6 of the 15 members must be female, while not less than 6 must be male. 50% of the current Board members are female, with one vacancy due to be filled.

While members of both the Pensions Board and the Social Welfare Tribunal are appointed by the Minister for Social Protection, there is also a requirement that the members appointed must be representative of various interests involved. For instance, appointments to the Pensions Board are subject to the conditions set out in Section 9 and the First Schedule of the Pensions Act 1990. These conditions specify that all members of the Board are appointed by the Minister for Social Protection under the provisions of the Act and must comprise representatives of trade unions, employers, consumer interests, pensioner interests, the Government, the pensions industry, member trustees and professional groups involved with pension arrangements. The

term of office for Board members is five years. Within this selection process due regard has been paid to date to ensure that the gender quota of 40% female representation on the Pensions Board is met.

The Social Welfare Tribunal deals with cases where entitlement to jobseeker's benefit or jobseeker's allowance is refused due to an involvement in a trade dispute and where claimants feel that they have been unreasonably deprived of employment because their employer has refused or failed to follow the negotiating machinery available for settling disputes. The Tribunal comprises a chairperson and four ordinary members who must be representative of employees and employers. Accordingly, two of the members are nominated by ICTU and the other two members are nominated by IBEC. When seeking nominations for the ordinary members of the Tribunal from both ICTU and IBEC every effort is made to ensure that the nominations adhere to the Government's gender balance policy. The current Tribunal, which was appointed in October 2009 for a 3 year term, has one female member (20%).

Given the nature of the work of the Tribunal, appointments to the position of chairperson have, in the past, been made on the recommendation of suitable candidates by the Labour Relations Commission. In the future it is intended that the position of chairperson will be advertised publicly and the most qualified and suitable candidate will be selected by competitive interview.

### **Departmental Equipment**

376. **Deputy Dara Calleary** asked the Minister for Social Protection the number of computer servers that are owned or leased by her Department and each State agency under the aegis of her Department; and the capacity of each server. [22494/11]

**Minister for Social Protection (Deputy Joan Burton):** For its IT operations, the Department utilises 344 servers with 774 processors and total memory of 4,271 Gigabytes. All storage is served from a Storage Area Network (SAN) and this has a total capacity of 600 Terabytes. The relevant information in relation to Agencies under the Department's aegis is not held in the Department. It is however, being compiled and will be furnished to the Deputy as soon as possible.

### **Social Welfare Appeals**

377. **Deputy David Stanton** asked the Minister for Social Protection when a decision will be reached on a disability allowance appeal for a person (details supplied) in County Cork; and if she will make a statement on the matter. [22508/11]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned was registered in that office on 22 March 2011. It is a statutory requirement of the appeals process that the relevant Departmental papers and comments by or on behalf of the Deciding Officer on the grounds of appeal be sought. These papers were received in the Social Welfare Appeals Office on 08 June 2011 and the appeal will be referred to an Appeals Officer, in due course, who will decide whether the case can be decided on a summary basis or whether to list it for oral hearing. The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions on social welfare entitlements.

378. **Deputy David Stanton** asked the Minister for Social Protection when a decision will be reached on a rent supplement application in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [22509/11]

**Minister for Social Protection (Deputy Joan Burton):** The Health Service Executive (HSE) has advised that the person concerned was refused rent supplement and that this decision was upheld by the HSE Appeals Office. The Social Welfare Appeals Office has advised that they have received an appeal from the person concerned and that no decision has yet been made on this appeal. The person concerned will be notified of the outcome of their appeal in due course.

379. **Deputy Michael McCarthy** asked the Minister for Social Protection the position regarding an application for domiciliary care allowance in respect of a person (details supplied) in County Cork; and if she will make a statement on the matter. [22534/11]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received on 14th January 2011. It was referred to one of the Department's Medical Assessors who found the child not medically eligible for the allowance. A letter issued to the person concerned on 14th February 2011 advising her of the decision.

In the case of an application which is refused on medical grounds, the applicant may submit additional information and/or ask for the case to be reviewed or they may appeal the decision directly to the Social Welfare Appeals Office. The application was reviewed at the customer's request and the Medical Assessor considered that the child remained ineligible for the allowance. The person concerned has now submitted further information and an appeal has been registered by the Appeals Office. As part of the appeal process, this additional information will be assessed by another Medical Assessor and the case will then be forwarded to the Appeals Office for consideration.

### **Social Welfare Payments**

380. **Deputy Joe Costello** asked the Minister for Social Protection if she will review the community welfare officer's decision to refuse assistance in respect of a person (details supplied) in Dublin 7. [22548/11]

**Minister for Social Protection (Deputy Joan Burton):** The position is as stated in my reply to the Deputy on the 5th July 2011. Neither I nor my Department have any function in relation to deciding an individual's entitlement. The Health Service Executive Appeals Office has advised that there is no record of an appeal from the person concerned.

### **Departmental Staff**

381. **Deputy Joe McHugh** asked the Minister for Social Protection the number of quangos, agencies and authorities that were established by her Department in each of the years 1997 to January 2011; the number of staff employed by her Department in 1997; the number of staff employed by her Department in January 2011; and if she will make a statement on the matter. [22586/11]

**Minister for Social Protection (Deputy Joan Burton):** Three statutory agencies have been established by the Minister for Social Protection since 1997 — Comhairle (now known as the Citizens Information Board), the Family Support Agency and the Office of the Pensions Ombudsman. Comhairle, which was established on 12 June 2000 under the provisions of the Comhairle Act 2000, replaced the former National Social Services Board. Under the provisions of the Citizens Information Act 2007, the title of this agency was changed from Comhairle to the Citizens Information Board on 21 February 2007. The Family Support Agency was established on 6 May 2003 under the provisions of the Family Support Agency Act 2001. Responsibility for this Agency has now transferred to the Minister for Children and Youth Affairs. The

Office of the Pensions Ombudsman was established on 2 September, 2003 under the provisions of Part XI of the Pensions Act 1990 (inserted by the Pensions (Amendment) Act 2002).

The number of staff employed by my Department in 1997 was 4,267. The number of staff employed in January 2011 was 5,032 — this figure includes 160 temporary staff. The requirement for an increase in the number of staff employed is mainly due to the increased number of people on the live register, as a result of the downturn in the economy.

### **Departmental Reports**

382. **Deputy Joe McHugh** asked the Minister for Social Protection the number of consultancy reports commissioned by her Department between 1997 and January 2011; the cost of commissioning each report; if she will provide information on the implementation of recommendations set out in each report; and if she will make a statement on the matter. [22603/11]

**Minister for Social Protection (Deputy Joan Burton):** Due to the nature of the information requested by the Deputy, it is not possible to provide a full reply in the time permitted. My Department has now engaged in compiling the information sought by the Deputy and will revert to him at the earliest possible opportunity.

### **Employment Support Services**

383. **Deputy Tom Hayes** asked the Minister for Social Protection when a decision will issue under the national internship scheme in respect of persons (details supplied); and if she will make a statement on the matter. [22614/11]

**Minister for Social Protection (Deputy Joan Burton):** From the references supplied it has not been possible to answer the Deputy's question. Information in relation to the request made by the Deputy will be forwarded when the details of the persons involved are supplied to the Department.

### **Departmental Funding**

384. **Deputy Shane Ross** asked the Minister for Social Protection the amount of State funding, directly or indirectly, that has been paid to fund trade unions, related bodies or trader union interests or causes in the past decade; and if she will make a statement on the matter. [22620/11]

**Minister for Social Protection (Deputy Joan Burton):** The Department of Social Protection does not fund trade unions per se. However, the Department facilitates the deduction and remission of union subscriptions by staff in respect of their union memberships to the following unions —

- Association of Higher Civil and Public Servants (AHCPS)
- Association of Secretaries and Higher Grades
- Public Service Executive Union (PSEU)
- Civil Public and Services Union (CPSU)
- SIPTU — Health Services Professionals Branch
- Branch Managers Association
- IMPACT

[Deputy Joan Burton.]

The Department also provides grants to support the provision of information on social welfare services. The Irish Congress of Trade Unions and the Irish National Organisation of the Unemployed received funding in the past decade as set out in the following tables.

Organisation Name: Irish Congress of Trade Unions (ICTU)

Year	Amount (€)
2001	88,650
2002	104,800
2003	86,000
2004	80,000
2005	80,000
2006	115,404
2007	103,278
2008	80,000

These payments to ICTU were part of core funding towards the costs of Congress Network Information Services.

Organisation Name: Irish National Organisation of the Unemployed (INOUE)

Year	Amount (€)
2000	20,000
2001	3,000
2002	146,205
2003	150,000
2004	150,000
2005	160,000
2006	189,952
2007	198,807
2008	233,388
2009	171,000
2010	181,500
2011	218,000

These payments to INOU were for funding for the Development and Promotion of Information and Welfare Rights to continue the delivery of its services and to produce a reference for unemployed people.

### Employment Support Services

385. **Deputy Peadar Tóibín** asked the Minister for Social Protection her plans for those at risk of long-term unemployment; the priority treatment these persons can look forward to receiving; and if she will ensure that the engagement will be on a purely voluntary basis.

[21155/11]

**Minister for Social Protection (Deputy Joan Burton):** While the primary responsibility for job creation rests with the Department of Jobs, Enterprise and Innovation and agencies under its remit, the Department of Social Protection has a role in supporting people from welfare to

work and operates a range of employment support measures designed to encourage and support social welfare recipients of working age to reduce their dependency on welfare payments. Supports available include the back to education programmes and back to work schemes. In addition, a fully integrated nationwide range of services and supports is available to employers and jobseekers through FÁS Employment Services, responsibility for which has been transferred to this Department.

The National Employment Action Plan (NEAP) process is a key element in addressing the progression needs of those on the live register. It provides a stimulus to job search and affords an opportunity to explore and access, under professional guidance, a full range of employment and training services. Development of the NEAP is central to ongoing development in the labour market policy area and will be progressed within the framework of a new National Employment and Entitlements Service which, as provided for in the Programme for Government, is being established by the Department. The new service will integrate employment and benefit payment services, currently delivered by FÁS and the Department, respectively, within the Department and will be based on a case management approach with the objective of providing a more customised and personal service to customers.

In line with good international practice, this new service will focus primarily on activation. The objective is to encourage and enable customers to embark on developmental pathways appropriate to their needs; pathways to employment and /or training and/or personal development. The objective of the new service is to offer users a high level, personalised employment support and prioritise the provision of more intensive support for those on the live register who are identified as being most at risk of long-term unemployment. A key feature of the new service will be that customers will be expected to engage with these options in order to retain their entitlement to full benefit payments.

A number of pilot projects are ongoing in relation to the development of case management, the identification of those who are most at risk of falling into long-term unemployment, and the provision of appropriately tailored responses to their needs. These pilot projects will be evaluated in the coming months after which approaches will be developed for their rollout nationwide as part of the national employment and entitlements service.

These developments are complimented by measures announced recently by the Government under the Jobs Initiative and include initiatives such as JobBridge, the National Internship Scheme, which will provide 5,000 internship opportunities of 6 or 9 months in organisations in the private, public or community and voluntary sectors. Participants will retain their social welfare entitlements and will also receive a ‘top-up’ of €50 per week. In addition, from July 2, the rate of employers PRSI on jobs paying up to €356 per week has been halved to 4.25%, up to end 2013.

All of the measures outlined will support people who are unemployed in acquiring the education and skills and work experience that will assist them in returning to employment while measures such as the PRSI reduction will encourage employers to new employment.

**386. Deputy Peadar Tóibín** asked the Minister for Social Protection the structures that have been put in place to ensure that the Tús programme provides real training and leads to real employment for participants. [21154/11]

**Minister for Social Protection (Deputy Joan Burton):** Tús is a community work placement initiative aimed at providing up to 5,000 short-term, quality work opportunities for those who are unemployed for more than a year. The initiative is being delivered through the network of local development companies and Údarás na Gaeltachta in Gaeltacht areas — referred to as

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Implementing Bodies. This initiative, with its clear focus on providing work placements, will improve the work readiness of people on the Live Register. As such, it does not have a training component outside of necessary task specific, health and safety and standard induction training requirements. Work placements are being identified in the not-for-profit, community and voluntary sectors across the country. Participants on Tús will have access to the range of other services in support of unemployed people that are already provided by the Implementing Bodies under other programmes.

### State Agencies

387. **Deputy Mary Lou McDonald** asked the Minister for Social Protection the money saved if all State agency board member payments in her Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22741/11]

**Minister for Social Protection (Deputy Joan Burton):** As the maximum annual remuneration paid to any member of a State Board for which the Minister for Social Protection has responsibility does not exceed €12,000, there would be no savings to the Minister for Social Protection arising from the proposed reduction in remuneration.

### Cultural Institutions

388. **Deputy Nicky McFadden** asked the Minister for Arts, Heritage and the Gaeltacht when a decision will be expected on whether or not Athlone Town Council will be able to lay the foundations of the art gallery at Fr. Matthew Hall, Athlone, County Westmeath; and if he will make a statement on the matter. [20732/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** An application for consent under section 14 of the National Monuments Act 1930 (as amended) has been submitted to my Department in respect of works associated with Athlone Art Gallery. My Department's National Monuments Service is consulting the National Museum of Ireland, as required under the Act and a decision on the application will be made as quickly as possible.

### Arts Council

389. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht if he has had any further discussions with the Arts Council regarding their role in assuming responsibility for Opera Ireland. [22064/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The Arts Council now has full responsibility for the provision of opera in Ireland, including the matter of Opera Ireland.

### Departmental Funding

390. **Deputy Billy Timmins** asked the Minister for Arts, Heritage and the Gaeltacht the position regarding emergency funding (details supplied); and if he will make a statement on the matter. [21951/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Limited funding of €650,000 is being provided by my Department through a "Structures at Risk Fund" in 2011, to assist with works to safeguard structures protected under the Planning and Development Acts 2000-2010. Details of the operation of the fund issued to each local authority in March 2011. The closing date for the receipt of applications under this scheme has passed. No appli-



cation was submitted by the relevant local authority in respect of the property referred to by the Deputy for funding under the Structures at Risk Fund.

However, an application for funding for restoration works to this property has been made under the built heritage allocation from the Environment Fund. Applications for funding for built heritage projects under this fund are in the process of being assessed by my Department. It is envisaged that applicants will be notified of the decision in relation to allocations within the coming weeks. The Heritage Council, which is funded by my Department, administers a number of conservation grants schemes, including the Heritage Management Grants Scheme. The closing date for the receipt of applications for funding under this scheme in 2011 has now passed. My understanding is that no application was received in respect of the property for funding under this scheme. A project for repair works to the property may be eligible for funding under the LEADER elements of the Rural Development Programme Ireland (RDP) 2007-2013. There are 36 local action groups contracted on behalf of the Department of Environment, Community and Local Government to deliver the RDP throughout the country. Contact details for these groups can be found on the website of the National Rural Network at [www.nrn.ie](http://www.nrn.ie) and the relevant local action group which I understand is Wicklow Rural Partnership Limited can be contacted by email [www.wicklownpartnership.ie](http://www.wicklownpartnership.ie) or telephone 0404 46977 for further guidance.

### National Lottery Funding

391. **Deputy Paudie Coffey** asked the Minister for Arts, Heritage and the Gaeltacht the amount of national lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form [21970/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The allocation of the proceeds of the National Lottery is a matter for the Minister for Public Expenditure and Reform. The elements of my Department's Vote which are part-funded by proceeds of the National Lottery are as follows:

- Subhead B.7 — Grant-in-Aid allocation provided to An Chomhairle Ealaíon (Arts Council)
- Subhead C.1 — Grant for An Chomhairle Oidhreachta (Heritage Council)
- Subhead D.2 — Irish Language Support Schemes.

My Department was established on 2 June 2011 and therefore it is not possible to provide comparative information for my Department, as sought by the Deputy for 2009 and 2010. However, information in relation to funding for the various subheads for 2009 and 2010 is outlined in the Estimates of the relevant Departments for those years, i.e., the Department of Tourism, Culture and Sport, the Department of Environment, Heritage and Local Government and the Department of Community, Equality and Gaeltacht Affairs.

### Heritage Sites

392. **Deputy Michael Conaghan** asked the Minister for Arts, Heritage and the Gaeltacht the definition of heritage; if this includes Ireland's rich industrial heritage; and if he will make a statement on the matter. [22106/11]

393. **Deputy Michael Conaghan** asked the Minister for Arts, Heritage and the Gaeltacht his plans to protect and promote the Inchicore railway yards, Dublin, one of the best surviving examples of this aspect of industrial heritage in the northern hemisphere; and if he will make a statement on the matter. [22107/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 392 and 393 together.

Under the provisions of the Planning and Development Act 2000, each planning authority is required, for the purpose of protecting structures or parts of structures which are of special architectural, historical, archaeological, artistic, cultural, scientific, social or technical interest, to include in its development plan a Record of Protected Structures and to include in that record every structure which is, in the opinion of the planning authority, of such interest within its functional area. This may be done at the time of the preparation of the development plan or, where appropriate, at any other time. The making of an addition to, or deletion from, a Record of Protected Structures is a reserved function of the planning authorities. I am advised that Dublin City Council, to date, has not included the Inchicore railway yards in the Record of Protected Structures for Dublin City. The Act also enables me, as Minister, to make recommendations to a planning authority concerning the inclusion of specific structures in its Record of Protected Structures and a planning authority must have regard to any such recommendations. These recommendations are based on the National Inventory of Architectural Heritage (NIAH) surveys conducted by my Department. The aim of NIAH surveys is generally to include structures which are of international, national and regional importance.

The National Inventory of Architectural Heritage for Dublin City has yet to be undertaken. The advertisement inviting tenders to undertake the first NIAH survey of Dublin City is due to be published by my Department in the coming days. This initial survey will focus on Dublin 1 and it marks the beginning of by far the largest NIAH county survey to date.

### Special Areas of Conservation

394. **Deputy Robert Troy** asked the Minister for Arts, Heritage and the Gaeltacht the bogs which fall under the special area of conservation in County Galway; and if he will make a statement on the matter. [22255/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The following table lists all candidate Special Area of Conservation bog sites in County Galway.

Site Code	Site Name	County
231	Barroughter Bog	Galway
248	Cloonmoylan Bog	Galway
285	Kilsallagh Bog	Galway
296	Lisnageeragh Bog and Ballinstack Turlough	Galway
297	Lough Corrib	Galway / Mayo
301	Lough Lurteen Bog / Glenamaddy Turlough	Galway
326	Shankill West Bog	Galway
1242	Carrownagappul Bog	Galway
2110	Corliskea / Trien / Cloonfelliv Bog	Galway / Roscommon
2347	Camderry Bog	Galway
2350	Curraghlehannagh Bog	Galway
2352	Monivea Bog	Galway
2356	Ardgraigue Bog	Galway
308	Loughatorick South Bog	Clare / Galway
324	Rosroe Bog	Galway
1913	Sonnagh Bog	Galway
2008	Maumturk Mountains	Galway

Site Code	Site Name	County
2031	The Twelve Bens / Garraun Complex	Galway
2034	Connemara Bog Complex	Galway

### Departmental Funding

395. **Deputy Shane Ross** asked the Minister for Arts, Heritage and the Gaeltacht the sum of any public funds and their purpose which have been awarded by his Department, either directly or indirectly, to the Irish Business and Employers Confederation in the past decade. [22258/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department was established on 2 June 2011 and, therefore, the Deputy will appreciate that the information sought by him can only be provided from that date. I am advised that no funding of the nature referred to by the Deputy was provided to IBEC by my Department since 2 June.

### Caighdeán na Gaeilge

396. D'fhiafraigh **Éamon Ó Cuív** den Aire Ealaíon, Oidhreachta agus Gaeltachta an bhfuil i gceist an leagan leasaithe de Chaighdeán na Gaeilge a réitíodh taobh istigh dá Roinn a fhoilsiú agus má tá cén uair a fhoilseofar é agus an ndéanfaidh sé ráiteas ina thaobh. [22369/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Mar is eol don Teachta, cuireadh tús sa Roinn Gnóthaí Pobail, Comhionannais agus Gaeltachta, mar a bhí, le próiseas athbhreithnithe ar Chaighdeán Oifigiúil na Gaeilge bliain ó mhí Aibreáin seo caite. Tháinig deireadh le gairid leis an tréimhse a bhí leagtha amach do shraith cruinnithe an Choiste Stiúrtha, a bhí i mbun na hoibre sin. Tá sé i gceist a chinntiú go gcuirfear bailchríoch ar obair an Choiste sin chomh luath agus is féidir. Tá súil agam nach fada go mbeidh cinneadh fógartha faoi na socrúithe foilsitheoireachta do Chaighdeán leasaithe.

### Seirbhísí Farantóireachta

397. D'fhiafraigh **Éamon Ó Cuív** den Aire Ealaíon, Oidhreachta agus Gaeltachta ó tharla cúraimí na nOileán a bheith air céard atá dhéanamh aige lena chinntiú go mbeidh daoine i gcathaoireacha rothaí in ann dul ar gach seoladh ó Ros an Mhíl go dtí Oileáin Árann agus an ndéanfaidh sé ráiteas ina thaobh. [22372/11]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Mar is eol don Teachta, tá fóirdheontas ar fáil ó mo Roinnse chun seirbhís farantóireachta a chur ar fáil idir Ros an Mhíl agus na hOileáin Árann. Tuigtear go mbíonn deacrachtaí am go ham maidir le cathaoireacha rotha a thabhairt ar na báid farantóireachta, ag brath ar an taoide ar an bhfarraige. Tá comhráití ar bun faoi láthair idir mo Roinnse, an Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha, Oifig na Suirbhéireachta Muirí agus an comhlacht farantóireachta atá ag soláthar na seirbhíse faoin bhfóirdheontas. Táim dóchasach go mbeifear in ann teacht ar shocrú, sa ghearrthréimhse agus san fhadtréimhse, sa chaoi is go réiteofar an fhadhb atá luaite ag an Teachta.

### Policy Development

398. **Deputy John Lyons** asked the Minister for Arts, Heritage and the Gaeltacht if he plans to develop an accurate and comprehensive arts and culture statistical system to aid policy formation and analysis; and if he will make a statement on the matter. [22384/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** A range of statistics and information is available from the arts and film agencies coming within my Department's remit to assist in relevant policy development. Similarly, a range of statistics is available to the Directors of the cultural institutions under the aegis of my Department. These data are shared regularly with my Department and contribute to policy formulation. Indeed, much of the information in question is available on my Department's website and on the websites of the relevant agencies. My Department and the agencies under my remit are conscious of the constant need to review and improve the presentation of statistical information. I am also aware that there may be opportunities presented by new and emerging technology for information to be presented in a more timely and user-friendly way and it would be my intention to take advantage of these, where feasible.

### Departmental Funding

399. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has received applications for funding from various art or heritage groups in County Kildare directly to him or to bodies under his aegis in the current year; his intended response; and if he will make a statement on the matter. [22428/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The details sought by the Deputy are set out in the following table. As the Deputy will be aware, my Department and a number of bodies funded from its Vote Group operate a range of schemes and programmes and details of these and their funding criteria can be accessed on my Department's website at [www.arts-sport-tourism.gov.ie](http://www.arts-sport-tourism.gov.ie).

Department/Body under Department's Aegis	No of applications for funding received from art/heritage groups in Co. Kildare in 2011 to date	No of applications approved	No of applications pending approval	Name of scheme(s) under which applications were approved/are pending approval
Department of Arts, Heritage and the Gaeltacht	2	1	0	Regional Cultural Night
<i>Bodies under the D/AHG Aegis:</i>				
Arts Council	42	14	9	2011 — Bursary — Opera — Round 22011 — Bursary — Visual Arts — Round 22011 — Bursary — Visual Arts — Round 22011 — Bursary — Street Arts — Round 22011 — Bursary — Literature (English) — Round 22011 — Bursary — Literature (English) — Round 22011 — Location One Fellowship — International2011 — Travel and Training — Music
Heritage Council	1	0	1	Architectural and Archaeological Heritage Projects under the Environment Fund
	5	1	0	Heritage Education, Community and Outreach
	2	0	0	Heritage Management

Department/Body under Department's Aegis	No of applications for funding received from art/heritage groups in Co. Kildare in 2011 to date	No of applications approved	No of applications pending approval	Name of scheme(s) under which applications were approved/are pending approval
<i>Cross Border Bodies:</i> Waterways Ireland	4	2	0	2011 Sponsorship Programme
<i>An Foras Teanga comprising:</i> Foras na Gaeilge	2	2	0	Gníomhaíochtaí i Réimse na nEalaíon

### Departmental Functions

400. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht if he will indicate the mission statement of his Department; and if he will make a statement on the matter. [22429/11]

402. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he intends to develop and promote the various portfolios under his aegis; and if he will make a statement on the matter. [22431/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 400 and 402 together.

As the Deputy will be aware, my Department was established on 2 June 2011 and brings together functions from the former Department of Tourism, Culture and Sport, the Department of Environment, Heritage and Local Government and the Department of Community, Equality and Gaeltacht Affairs. The key functions under the remit of the newly established Department of Arts, Heritage and the Gaeltacht are as follows:

- Arts, Culture, Film and Music, including oversight of the National Cultural Institutions;
- Built and Natural Heritage;
- Irish Language, Gaeltacht and the Islands; and
- North/South Co-operation in relation to Waterways Ireland and An Foras Teanga (comprising Foras na Gaeilge and the Ulster-Scots Agency) and other areas pertaining to the functions and responsibilities of my Department.

I am committed to developing and promoting these functions to the greatest extent possible, while progressing and delivering on the commitments in the Programme for Government that relate to my Department. In this regard, and in the context of the Public Service Management Act 1997, my Department is currently in the process of preparing a new Statement of Strategy for the period 2011-2014, which will reflect its new mandate and mission statement. Officials in my Department are currently conducting an extensive consultation process in this regard and I am advised that a draft Statement of Strategy will be submitted to me in early September, in line with the requirements of the Public Service Management Act 1997.

### Architectural Heritage

401. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he expects to carry out restoration works towards the protection of buildings

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throughout the country in the next year; and if he will make a statement on the matter.  
[22430/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Funding from the built heritage capital programme of my Department is being provided to the Office of Public Works (€1.250m) to assist in the conservation and presentation of historic properties and national monuments in State care, for a Structures at Risk Fund (€0.650m) and for archaeological protection (€0.105m). The Structures at Risk Fund has been established to assist with works to safeguard structures protected under the Planning and Development Acts 2000-2010. 23 local authorities have been issued with and accepted grant offers for a total of 31 projects under the fund.

My Department is also providing funding of almost €7.5million to support the work of the Heritage Council including for a number of conservation grants schemes — the Significant Places of Public Worship Grants Scheme, the Heritage Management Grants Scheme, Large Scale Heritage Properties Grants Scheme, Conservation Plan Led Projects Grants Scheme, and the Irish Walled Towns Grants Scheme. The level of funding available in future years for these purposes will be subject to the normal Budgetary and Estimates processes.

*Question No. 402 answered with Question No. 400.*

### **Turbary Rights**

403. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which an amicable solution can be reached with turf cutters affected by the special areas of conservation or other such conservation measures; and if he will make a statement on the matter. [22433/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Since entering office, I have endeavoured to ensure that such amicable solutions referred to by the Deputy can be arrived at for those who have suffered a loss through being prevented from continuing to cut turf in sites designated for the protection of raised bog habitat. In early April, I announced the establishment of an independently chaired Peatlands Council to respond to commitments set out in the Programme for Government and to assist Ireland to respond in a strategic way to the requirements of the Habitats Directive. The Council is chaired by Mr Conor Skehan and includes representatives of the IFA, the Irish Peatlands Conservation Council, the Turf Cutters and Contractors Association, Irish Rural Link, the Irish Environment Network, Bord na Móna and the National Parks and Wildlife Service of my Department. The Peatlands Council also provides a framework for stakeholder involvement in addressing the immediate issues regarding the protection of these sites and arrangements for compensation and relocation. The Council has met on several occasions and recently made significant progress in regard to agreeing a work programme to address the needs of turf-cutters, while recognising the necessity to stop turf-cutting on Ireland's raised bog SACs.

In April, I also announced a long-term compensation package for turf-cutters in sites where turf cutting is no longer possible. The scheme, which applies to turf-cutters on all raised bog SACs, will deliver payments of €1,000 per annum, index linked, for a maximum of 15 years. As an alternative to financial payments, and where feasible, qualifying turf-cutters will be facilitated in relocating to alternative, non-designated sites to continue cutting turf. Alternative forms of compensation are being actively explored by the Peatlands Council and I expect that these will be presented to me as solid proposals in the near future.

My officials are in direct discussion with a number of groups of turf-cutters on various bogs with a view to agreeing sites for re-location and the terms and conditions of such relocation. At the request of the Peatlands Council, including members representing turf-cutting interests, my officials are currently making themselves available at information clinics where interested parties can discuss their compensation and relocation options. Such clinics have been held in Roscommon, Offaly, Galway and Kildare. Further clinics will be arranged over the coming weeks. The Government remains committed to reaching a fair and equitable outcome for those who cannot now continue turf-cutting in these sites.

### Heritage Sites

404. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the number of heritage sites, including ring forts, currently accessible to the public; and if he will make a statement on the matter. [22434/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Seven hundred and fifty seven national monument sites are in the ownership or guardianship of the Minister for Arts, Heritage and the Gaeltacht. The number of individual monuments on these sites would be greater since some contain more than one monument. Generally monument sites owned by the Minister are publicly accessible with 69 having visitor services provided by the Office of Public Works. Some monuments acquired in the past do not have a public right of way. It is, however, my Department's policy to acquire rights of way to such sites, where possible, with the agreement of landowners and this practice will continue. In the region of a further 120,000 monuments are protected under the National Monuments Acts. Although most are located on private lands, public access is available in many cases under local arrangements. There are also 6 publicly accessible national parks and 78 nature reserves managed by the National Parks and Wildlife Service of my Department.

*Question No. 405 answered with Question No. 11.*

406. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the number and location of endangered heritage sites or buildings throughout the country; his future intentions in regard to same; and if he will make a statement on the matter. [22436/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Under the provisions of the Planning and Development Act 2000, each planning authority is required to include in its development plan a Record of Protected Structures. The making of an addition to, or deletion from, a Record of Protected Structures is a reserved function of the planning authorities. Inclusion in the Record of Protected Structures places a duty of care on the owners and occupiers of protected structures and also gives planning authorities powers to deal with development proposals affecting them and to seek to safeguard their future.

Section 59 of the 2000 Act provides for a planning authority to serve notice to require works to be carried out in relation to endangerment of protected structures. On the basis of information submitted by the planning authorities to my Department, there were 19 such notices served in 2008, 27 in 2009 and 10 in 2010. I have given approval for my Department to undertake a review of the operation of Part IV (Architectural Heritage) of the Planning and Development Act 2000. This review will focus on possible minor legislative amendments and a possible up-date to regulations where appropriate.

Archaeological and natural heritage sites are subject to particular legal frameworks to ensure their protection. They are also subject to monitoring undertaken by my Department. This

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monitoring helps to ensure that risks for and threats to these sites are detected and addressed as early as possible thus avoiding endangerment.

### Departmental Equipment

407. **Deputy Dara Calleary** asked the Minister for Arts, Heritage and the Gaeltacht the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22483/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The information sought by the Deputy in relation to my Department, and as advised in relation to bodies funded from my Department's Vote Group, is set out in the following table.

Department/Body under Department's Aegis	No of computer servers owned	No of computer servers leased	Capacity
Department of Arts, Heritage and the Gaeltacht	37	0	20.02 TB
Údarás na Gaeltachta	16	0	2,370 GB — Servers 2 TB — Storage Area Network
An Coimisinéir Teanga	2	1	590 GB
Crawford Art Gallery	0	0	N/A
National Library of Ireland	22	0	116 TB
National Archives	16	0	4287.3 GB
National Archives Advisory Council	0	0	N/A
Irish Manuscripts Commission	0	0	N/A
Heritage Council	0	0	N/A
National Gallery of Ireland	18	0	53,004.2 GB
National Concert Hall	14	0	20 TB
National Museum of Ireland	4 ESX DELL physical servers (hosting 25 Virtual Servers) & 1 Apple Physical Server	0	118 TB
Irish Museum of Modern Art	10	0	03.76 TB
Chester Beatty Library	7(& 2 additional storage disk arrays attached & NAS)	0	Approx: 40 TB
Arts Council	4	0	1.42 TB
Irish Film Board	3	0	2 servers x 1.2 TB1 server x 500 GB
<i>Cross Border Bodies:</i>			
Waterways Ireland	HQ — 26 Servers Remote (13) Sites -13 Servers	0	HQ — 29.5 TBRemote Sites — 1.5 TB
<i>An Foras Teanga, comprising:</i>			
Foras na Gaeilge	7	0	1,824 GB



Department/Body under Department's Aegis	No of computer servers owned	No of computer servers leased	Capacity
Ulster-Scots Agency	2	0	200 GB

*Question No. 408 answered with Question No. 21.*

### **Appointments to State Boards**

409. **Deputy Anne Ferris** asked the Minister for Arts, Heritage and the Gaeltacht the steps he is taking to ensure that the membership of State boards comprises at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22527/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Officials from my Department are in regular contact with the State bodies and agencies funded from my Department's Vote Group on matters relating to performance, governance and accountability issues. In relation to ensuring that the State boards funded from my Department's Vote Group comprise at least 40% of each gender, as provided for in the Programme for Government, I can confirm that my Department has systems in place to monitor progress in this regard and, where issues arise, these will be followed up.

### **Departmental Expenditure**

410. **Deputy Olivia Mitchell** asked the Minister for Arts, Heritage and the Gaeltacht if he has, in view of the change in the names of various Departments, procured a new logo for his Department, new signage and any other branding, such as stationery and so on; if so, the cost of same; and if he will make a statement on the matter. [22553/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, the Department of Tourism, Culture and Sport was renamed the Department of Arts, Heritage and the Gaeltacht on the 2nd June 2011. I can confirm to the Deputy that a new logo has not been procured for the newly reconfigured Department, which is continuing to use the standard harp logo. In addition, when ordering new stocks of stationery, the practice has been adopted of simply replacing the former name of the Department with its new name. I have directed that all stationery currently held by my Department be used to the greatest extent feasible and have instructed my officials to ensure that any costs arising due to the name change of my Department are kept to a minimum. In relation to replacing signage on Departmental premises due to the change of name, my Department is in the process of amending such signage and, once this process has been completed, it will be possible to quantify costs arising.

### **Departmental Agencies**

411. **Deputy Joe McHugh** asked the Minister for Arts, Heritage and the Gaeltacht the number of quangos, agencies and authorities that were established by his Department in each of the years 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22575/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department, as currently configured, was established on 2 June 2011. The Deputy will appreciate, therefore,

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that it is not feasible to provide the information sought by him in relation to the timeframes specified.

### Departmental Reports

412. **Deputy Joe McHugh** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide a report of the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22592/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As my Department was established on 2 June 2011, the Deputy will appreciate that it would not be feasible to provide the information sought by him for timeframes prior to that date.

### Cultural Institutions

413. **Deputy Joe Costello** asked the Minister for Arts, Heritage and the Gaeltacht the progress made on protecting the cultural space in Smithfield, Dublin; and when the Lighthouse Cinema will re-open on the square. [22609/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** On 15 April 2011, the High Court placed the Light House Cinema into involuntary liquidation and appointed a liquidator. On 27 April, Mr Neil Hughes of Hughes Blake was appointed receiver and manager by Bord Scannán na hÉireann/the Irish Film Board and the Arts Council, with the agreement of my Department.

The receiver sought expressions of interest in taking over the management and running of the Light House Cinema by placing advertisements in the national media. I understand that there were a number of enquiries from interested parties in response to the advertisements and that discussions are ongoing between those parties, the receiver and the landlord.

Under the circumstances, it would not be appropriate for me to comment further at this stage.

### State Agencies

414. **Deputy Mary Lou McDonald** asked the Minister for Arts, Heritage and the Gaeltacht the money saved if all State agency board member payments in his Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22734/11]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am advised that there are no board members in receipt of annual payments in excess of €50,000 on the boards of State Agencies and Bodies under the aegis of the Department of Arts, Heritage and Gaeltacht.

### Departmental Funding

415. **Deputy Peadar Tóibín** asked the Minister for Communications, Energy and Natural Resources the money spent on the home energy scheme over the past five years; and the amount that will be committed on the home energy scheme for each year for the next three years. [21911/11]

418. **Deputy Peadar Tóibín** asked the Minister for Communications, Energy and Natural Resources the steps that he will take, including doubling the funding, to increase home energy efficiency. [21162/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 415 and 418 together.

Capital funding of €60 million was allocated for energy efficiency initiatives in Budget 2011. As part of the Jobs Initiative, a further €30 million has been provided for this year which underpinned the launch of the Better Energy Programme in May. Better Energy replaces three energy efficiency and renewable energy programmes: the Home Energy Savings Scheme (HES), the Warmer Homes Scheme (WHS) and the Greener Homes Scheme (GHS).

The obligations strand of Better Energy brings energy suppliers on board as partners, in fulfilment of Ireland's obligations under the Energy End-Use Efficiency and Energy Services Directive. These companies have been asked to finalise voluntary agreements with the Sustainable Energy Authority of Ireland (SEAI), which will deliver 200GWh of energy saving measures in 2011. Energy companies can meet their target by directly offering upgrade services, or by subcontracting the work to third parties.

**Better Energy: Homes** — allows domestic customers to apply for an Exchequer supported incentive, currently a direct grant which will be replaced by an up-front discount later in the year. The measures grant-aided under this strand include roof and wall insulation, high efficiency boilers, heating control upgrades and solar thermal. Energy upgrades were provided to 45,990 homes in 2010 and to 27,653 homes to the end of June 2011.

**Better Energy: Warmer Homes** — provides energy efficiency improvements free of charge to homes in, or at risk of, energy poverty. The scheme is delivered through a combination of community based organisations (CBOs) and a panel of private contractors. Energy upgrades were provided to 24,291 homes in 2010 and to 8,556 homes to the end of June 2011.

The amounts spent on the HES scheme are as follows:

Programme	2008 (Pilot)	2009	2010
Home Energy Saving scheme (HES) Total Capital Spend (€m)	1.25	14.926	45.434

The HES scheme is now fully integrated into Better Energy: Homes. The capital allocation for Better Energy in 2011 is €91.4m. Decisions in relation to funding for 2012 and forward years will be taken in the context of the Government's review of the capital expenditure programme.

### Fuel Poverty

416. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources the measures he proposes to take to address the persistent problem of fuel poverty in Irish society; the estimate of the current number of households who are considered to be fuel-poor; and if he will make a statement on the matter. [22173/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I refer the Deputy to my reply to Question No. 214 from him of 20 July 2011.

### Telecommunications Services

417. **Deputy Peadar Tóibín** asked the Minister for Communications, Energy and Natural Resources his commitment to providing next-generation broadband to every home and business here; and the date for completion. [21167/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Under the NewERA proposals in the Programme for Government, there is a commitment to co-invest

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with the private sector and commercial Semi State sector to provide Next Generation Broadband to every home and business in the State. The Next Generation Broadband Taskforce, which I chair, has an important role in policy, in this regard. I recently convened a meeting of the Taskforce, which comprises the Minister of State with responsibility for NewERA, Fergus O'Dowd, T.D., the CEOs of all of the major telecommunications companies currently operating in the Irish market and CEOs of some Internet Service Provider companies. The purpose of the Taskforce is to discuss the optimal policy environment required to facilitate the provision of high speed broadband across Ireland. The Taskforce will consider issues such as appropriate targets, private sector investment plans, and the role of Government in driving and facilitating investment. I expect that the Taskforce will help to identify the optimal policy to deliver wider customer access to high-speed broadband generally and thereby assist in delivery on the commitment in the Programme for Government.

*Question No. 418 answered with Question No. 415.*

419. **Deputy Nicky McFadden** asked the Minister for Communications, Energy and Natural Resources if the rural broadband scheme will be extended to Rosemount, County Westmeath; his views on the matter of loss of business due to slow broadband connection speeds; and if he will make a statement on the matter. [21868/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Rural Broadband Scheme (RBS) aims to identify the remaining individual premises in rural Ireland, outside of the National Broadband Scheme (NBS) areas that are unable to obtain a broadband service and to provide a basic broadband service to those premises, where requested. As the area referred to in the Deputy's Question is outside the NBS area, premises which cannot avail of a service from a commercial operator can apply under the RBS.

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](http://www.dcenr.ie)) or through contacting my Department on lo-call 1850 678100.

The closing date for applying for inclusion in the RBS is Friday, July 29 next.

The Government accepts that the widespread availability of next generation broadband is key to delivering future economic and social development and, 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.

I recently convened a meeting of the Next Generation Broadband Taskforce (NGBT), which I chair. The Taskforce 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.

### **Broadcasting Services**

420. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources the percentage area (details supplied) in County Donegal that currently has

Saorview coverage for digital television; and if he will make a statement on the matter. [21952/11]

421. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources the percentage area in County Donegal that currently has Saorview coverage for digital television; and if he will make a statement on the matter. [21953/11]

422. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources the percentage of homes and businesses in County Donegal that currently have Saorview coverage for digital television; and if he will make a statement on the matter. [21954/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 420 to 422, inclusive, together.

RTÉ is an independent national public service broadcaster whose remit and obligations are set out in the Broadcasting Act 2009.

RTÉ has built, owns and controls the new national digital TV network which they call Saorview. RTÉ is also responsible for the coverage and operation of its Saorview TV network. Part 8 of the Broadcasting Act 2009, sets out RTÉ's powers and responsibilities in this regard. Therefore, I have no direct function in the matter raised by the Deputy.

RTÉ has established a dedicated website, *www.saorview.ie*, and a telephone helpline to assist the public to access Saorview. This website also provides, *inter alia*, information on coverage of Saorview.

The coverage checker on this website allows users to input their address. They will then see if their area is covered by RTÉ's Saorview network. Should the Deputy have further questions about specific areas, I am happy to pass them to RTÉ on his behalf for direct reply.

### Telecommunications Services

423. **Deputy Paudie Coffey** asked the Minister for Communications, Energy and Natural Resources his plans to develop a cross-departmental strategy with the Department of Education and Skills in view of the fact that his Department has made a provision of €10 million in its 2011 Estimates to develop high-speed broadband infrastructure for schools; and if he will make a statement on the matter. [21958/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Department of Communications, Energy and Natural Resources has worked closely with the Department of Education and Skills on the successful delivery to 78 second level schools of the 100 mbps pilot project.

My Department made a provision of some €10 million in its 2011 capital estimate to fund the capital element of a possible national roll-out.

The ongoing annual costs associated with a national implementation will fall to be managed by the Department of Education and Skills and that Department is still examining the modalities of ensuring that the necessary level of funding can be secured annually to meet the various contractual commitments that will arise in such a programme. Officials in both Departments are involved in ongoing contacts on this matter.

There is a strong recognition by both Departments, working together, of the benefits of providing enhanced ICT in schools from an education, economic and knowledge society perspective.

### National Lottery Funding

424. **Deputy Paudie Coffey** asked the Minister for Communications, Energy and Natural Resources the amount of National Lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form. [21971/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I wish to advise the Deputy that my Department has not received National Lottery Funding in any year since its formation in June 2007.

### Onshore Exploration

425. **Deputy Robert Dowds** asked the Minister for Communications, Energy and Natural Resources if his attention has been drawn to the fact that the proposed method to extract natural gas from the North-West Carboniferous Basin (details supplied) and the Clare Basin, namely, hydraulic fracturing or fracking, has been linked to widespread health problems, water pollution and environmental damage in numerous cases in the US, Canada and Australia; and if he will make a statement on the matter. [21990/11]

426. **Deputy Robert Dowds** asked the Minister for Communications, Energy and Natural Resources his views, in view of the fact that hydraulic fracturing or fracking has now been banned by the French and South African Governments and a number of US states, on whether hydraulic fracturing or fracking should now be placed under a moratorium here pending a thorough investigation of the consequences of its use in other states; and if he will make a statement on the matter. [21991/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 425 and 426 together.

I can inform the Deputy that I have not received applications for, nor licensed the use of hydraulic fracturing in the North West Carboniferous Basin or the Clare Basin and accordingly the issue of a moratorium on this drilling technology does not arise.

Earlier this year, my Department awarded two year onshore Petroleum Licensing Options to three companies over parts of the North West Carboniferous Basin and the Clare Basin. Exploration drilling is specifically excluded under these authorisations.

The Licensing Options are designed to allow the companies assess the natural gas potential of the acreage largely based on desktop studies of existing data from previous petroleum exploration activity. Both areas have been subject to petroleum exploration and drilling since the early 1960s and while some natural gas potential was identified, it was not considered commercially viable at that time.

Exploration activity under these authorisations is at an early stage and there is no certainty that it will lead to applications for follow-on exploration licences that would be required before exploration wells could be drilled. In the event hydraulic fracturing was proposed as part of a possible future exploration or production programme, then that activity would be subject to an environmental impact assessment, including an appropriate public consultation phase.

### Energy Efficiency

427. **Deputy Michael Conaghan** asked the Minister for Communications, Energy and Natural Resources the number of contractors who are registered to participate in the better energy scheme; the requirements for contractors who wish to participate in delivering the scheme; and

if the scheme is open to new applicants from contractors who wish to deliver the scheme.  
[22108/11]

428. **Deputy Michael Conaghan** asked the Minister for Communications, Energy and Natural Resources the number of homeowners who have requested grants under the better energy scheme; and the number of homeowners who have been allocated grants on a county basis and by postcode within the Dublin area. [22109/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I propose to take Questions Nos. 427 and 428 together.

I announced the launch of Better Energy: The National Upgrade Programme on Wednesday, 11 May 2011 on foot of the Jobs Initiative. Better Energy replaces three energy efficiency and renewable energy programmes: the Home Energy Savings Scheme (HES), the Warmer Homes Scheme (WHS) and the Greener Homes Scheme (GHS).

Contractors can register with Better Energy: Homes if they wish to deliver any of the services supported under this scheme. The registration process, from receipt of fully compliant documentation, is typically two days. All registering contractors must provide the following documents:

- Completed and signed registration form
- Copy of Tax clearance certificate (TCC) or C2
- Contractor Certificate of Insurance form — completed by Insurance broker.

The Sustainable Energy Authority of Ireland (SEAI) has streamlined registration in order to minimise the additional documentation that is required from contractors previously registered for HES or GHS. There are currently 2885 registered contractors actively operating under Better Energy: Homes.

Competency requirements vary depending on the type of installations works the contractor is registered to carry out. These requirements are detailed in the Code of Practice, Standards and Specifications document and in the contractor registration form, which are all available on the Better Energy section of the SEAI website.

Since the launch of the HES scheme in March 2009, a total of 124,563 homes have made applications and accepted grant offers, of which 90,313 had successfully drawn down their grant by end of June 2011.

The number and location of homes which have made application for a grant since the launch of HES in March 2009 and since the launch of Better Energy in May 2011 are as follows:

County	2009 HES Programme Launch to date (inclusive)	2011 Better Energy Programme Launch to date
Carlow	1,306	86
Cavan	2,762	159
Clare	6,938	406
Cork	15,717	1,424
Donegal	4,515	263
Co Dublin	5,097	336
Dublin 1	301	109
Dublin 10	143	13
Dublin 11	635	44
Dublin 12	831	62

[Deputy Pat Rabbitte.]

County	2009 HES Programme Launch to date (inclusive)	2011 Better Energy Programme Launch to date
Dublin 13	696	54
Dublin 14	961	78
Dublin 15	1,110	87
Dublin 16	997	86
Dublin 17	175	20
Dublin 18	603	35
Dublin 2	56	16
Dublin 20	192	17
Dublin 22	352	24
Dublin 24	683	80
Dublin 3	634	50
Dublin 4	521	33
Dublin 5	1,082	76
Dublin 6	481	33
Dublin 6W	584	58
Dublin 7	694	49
Dublin 8	373	25
Dublin 9	949	64
Galway	10,607	682
Kerry	7,192	477
Kildare	3,308	233
Kilkenny	2,954	186
Laois	1,889	129
Leitrim	791	45
Limerick	8,879	688
Longford	1,228	59
Louth	3,235	180
Mayo	3,948	316
Meath	3,485	236
Monaghan	2,470	180
Offaly	1,531	80
Roscommon	2,191	138
Sligo	1,740	98
Tipperary	5,683	413
Waterford	4,648	373
Westmeath	2,026	114
Wexford	5,165	295
Wicklow	2,205	179
Grand Total	124,563	8,888

### Energy Resources

429. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources when gas from the Corrib field will come ashore; if he will give any direction to the Commission for Energy Regulation in relation to wholesale and retail pricing of this Irish gas; and if he will make a statement on the matter. [22175/11]



**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Completion of the development works by the developer is the principal factor that will determine the date for first gas. Pending such completion, it is not possible to state a date for when gas from the Corrib gas field will become available.

In terms of giving a direction to the Commission for Energy Regulation (CER) in relation to the wholesale and retail pricing of this gas the Deputy should note that under section 23 of the Gas (Interim) (Regulation) Act of 2002, the CER is responsible for regulating charges in the natural gas market, including supply tariffs to final customers.

The Government has no power to dictate wholesale commodity prices.

The CER regulates the Residential tariffs for Bord Gáis Energy. There are three other suppliers in the residential market offering tariffs and customers are free to switch between these to get the best deal.

All business sectors are deregulated and open to competition. On this basis, and to maintain the integrity of the market and the regulatory process, it would be wholly inappropriate for me to issue a direction regarding retail pricing of gas.

### Energy Regulation

430. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources the reason new entrants to the electricity market are not regulated by the Commission for Energy Regulation; and if he will make a statement on the matter. [22176/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I have no statutory function in the setting of electricity and gas prices, whether in the regulated or non-regulated market. Responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body. Prices in the electricity retail market are now fully deregulated. Price setting by electricity suppliers, including Bord Gáis, is a commercial and operational matter for the companies concerned and I have no function in the matter.

The CER was established in 1999, to regulate the electricity market. All generators, transmission operators and suppliers wishing to participate in the Irish electricity market are required to apply to CER for a licence to operate. Once an operator has received a licence, it is allowed to commence operations in the Irish market, subject to strict adherence to the licence terms and conditions which are established and monitored by CER.

ESB prices for domestic electricity customers were regulated until 4th April 2011. The welcome emergence of new entrants in the electricity supply market (business and/or domestic) started to emerge in recent years and their prices were effectively unregulated in comparison with ESB tariffs. The Irish electricity supply market is now fully open to competition for business and latterly the domestic sector. While the CER no longer regulates tariffs in the electricity market, it continues to have a role in monitoring market developments and ensuring that all suppliers comply with requirements designed to protect the interests of customers.

### Energy Prices

431. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources his views, in the context of the recent decision by Bord Gáis to hike up prices by 12% for consumers, that the interests of energy consumers are not being properly represented by the Commission for Energy Regulation; the way consumers are protected in the energy regulation market; his plans to strengthen CER; and if he will make a statement on the matter. [22177/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I have no statutory function in the setting of electricity and gas prices, whether in the regulated or non-regulated market. Responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body. Prices in the electricity retail market are now fully deregulated. Price setting by electricity suppliers, including Bord Gáis, is a commercial and operational matter for the companies concerned.

The CER was established in 1999 to regulate the electricity sector in Ireland. In 2002 its remit was extended to cover the natural gas market. The CER is independent of all operators in the market and acts in the best interest of energy customers in Ireland by working to ensure that consumers benefit from a competitive regulatory framework in energy markets.

There have been sustained increases in global fossil fuel prices in recent months and this is putting pressure on all energy suppliers' margins. Ireland has a high dependency on imported fossil fuels, particularly gas which coupled with geographic isolation and population dispersal means that Ireland is price taker in the international gas market.

The CER has implemented a series of decisions over recent years designed to enhance and protect the rights of consumers and ensuring that operators in the market comply with their obligations to consumers. As part of its standard decision making processes, the CER holds consultations with all interested parties in advance of making any decisions on consumer issues. An example of a recent policy change in a consumer protection area was policy on disconnections. In late 2010, the CER decided to temporarily reduce the cost of disconnection for electricity and gas and decided to divide the cost of disconnection equally between the supplier and customer. This was done in response to the large number of disconnections taking place and to encourage suppliers to engage with customer and consider alternative options to disconnection.

Also, in response to the increase in the accumulation of debt from various suppliers, the CER recently announced in June 2011, after consultation with the Society of St. Vincent de Paul and the Money Advice and Budgeting Service, the introduction of a debt flagging facility. This alerts supply companies when customers wishing to switch supplier already have outstanding electricity bills above a certain level. These flags are as follows: for domestic electricity and gas customers, when they owe more than €250 for over 42 days, and for small business when they owe more than €750 for over 42 days.

Statutory Instrument 450/2010 on Market Monitoring for Electricity and Gas markets was signed in October 2010. The Statutory Instrument includes consumer protection provisions in market monitoring that have given the CER additional powers and functions in this area as required by the EU Internal Energy Market Directives. The EU Directive also contains provisions requiring Member States to enhance consumer protection provisions and provisions for vulnerable customers. At present my Department is currently drafting the requisite Statutory Instrument to give legal effect to the consumer and vulnerable customers provisions in the relevant Directive, although, in practice many of the functions are already currently undertaken by the CER.

### **Mobile Telephony**

432. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources the action he will take against termination charges for mobile phone users; his views on whether this is the key reason for supernormal profits in the mobile industry; and if he will make a statement on the matter. [22178/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The regulation of the wholesale mobile voice call termination market is a matter for the Commission for Communications Regulation (ComReg).

I am anxious to ensure that mobile termination rates (MTRs) charged by Irish service providers are in line with those charged elsewhere in Europe and that Irish citizens and businesses benefit from the lowest call costs possible. Following regulatory intervention by ComReg in this market, commitments have been obtained from the main Irish mobile network operators to reduce their MTRs such that maximum Irish MTRs would be approximate to the European average — details of these commitments are publicly available in Information Notice 10/82 published on ComReg's website.

Building on previous decreases, the latest reductions in MTRs took effect from 1 July, with the blended average MTRs reducing by approximately 17% on the rates which applied in the previous six months. These latest reductions, with further planned reductions every six months through to the end of 2012, will continue to ensure that Irish average MTRs are in line with the European average.

I understand that a further review by ComReg of the wholesale mobile voice call termination market is currently under way and ComReg plans to consult on its preliminary findings later this year, including the imposition of an appropriate wholesale price control (to be in effect from 2013) and other regulatory obligations.

### Television Licence Fees

433. **Deputy Thomas P. Broughan** asked the Minister for Communications, Energy and Natural Resources his plans to replace the current television licence system with a content licence system; the appliances the content licence would apply to and if same would include laptops, smartphones, kindles, iPads and so on; the way the revenue from the content licence would be divided; if same will only apply to broadcasters or if online content providers would also be eligible for a share of the content licence fee; and if he will make a statement on the matter. [22179/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Programme for Government commits to examining the role and collection of the TV Licence Fee in light of existing and projected convergence of broadcasting technologies and to transform the TV licence into a household based Public Broadcasting Charge to be applied to all households and applicable businesses, regardless of the device they use to access content.

This commitment does not foresee the replacement of the current television licence system with a content licence system applicable to either all or certain classes of appliances. The household based charge, if introduced, would in fact serve to remove the link between the fee and the appliance being used to access the content.

In line with this commitment, my Department is currently undertaking an exercise whereby it is examining both the effectiveness and efficiency of the current model of television licence fee collection, in the context of the changing technological environment, and examining the efficiency of various international models for the funding of public service broadcasting. The results of the exercise will be an analysis of the most effective models in terms of efficiency, capability to fund our public service broadcasting service and equity of applicability. The scope of work being carried out under this review is quite extensive. Nevertheless, I expect to receive recommendations arising out of this review by year end and, following that, work will begin on developing any necessary legislative proposals that might be required to facilitate the implementation of any recommendations that I decide to take forward.

[Deputy Pat Rabbitte.]

In terms of revenue distribution, the Deputy may also be aware that the Programme for Government commits to reviewing the funding of public and independent broadcasters to ensure a healthy broadcasting environment in Ireland.

The broadcasting sector in general has faced a challenging funding environment in recent years with a large fall in commercial advertising revenues. It is understandable in such a situation that extending further the scope of public service funding would seem attractive to some. However, great care should be taken in considering any such course of action. The rationale for providing State funding for public service broadcasting is to provide an independent and reliable income flow that allows these corporations to attain their public service objects while ensuring they can maintain editorial independence. This is especially important in the context of news and current affairs. Therefore, in reviewing the funding issues, we must ensure that the ability of our public service broadcasters to deliver on their remits and obligations is not undermined through decisions that cause an erosion of their revenue base.

### **Departmental Expenditure**

434. **Deputy Shane Ross** asked the Minister for Communications, Energy and Natural Resources the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22259/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I wish to advise the Deputy that no direct funding has been provided to the Irish Business and Employers Confederation by my Department in any year since its formation in June 2007. The issue of any funding provided by bodies under the aegis of my Department, is a matter for the individual bodies in question and I have no responsibility in this regard.

### **Semi-State Bodies**

435. **Deputy Michael McGrath** asked the Minister for Communications, Energy and Natural Resources if he will provide a list of the commercial semi-state companies under his remit whose chief executives have agreed to take a voluntary salary cut to bring them within the €250,000 salary cap (details supplied); and if he will make a statement on the matter. [22380/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My colleague, the Minister for Public Expenditure and Reform, Brendan Howlin, T.D. recently announced the terms of a Government Decision for the introduction of pay ceilings for higher posts across the public service and for CEO posts in Commercial State Companies.

In addition, the Government signalled its intention to seek voluntary waivers of 15% of salary from current incumbents whose salaries are in excess of these figures or a lesser amount if the application of the full 15% reduction would bring their salary level below the thresholds.

I can confirm that there are currently 3 CEO posts in Commercial semi-State companies under my remit where salary levels exceed €250,000. These are ESB, An Post and Bord Gáis Éireann.

I have recently written to the chairs of the above bodies on the issue of a voluntary pay adjustment from the incumbent CEOs of these bodies and I await a response.

### Utility Charges

436. **Deputy John Lyons** asked the Minister for Communications, Energy and Natural Resources, in view of the difficulty many customers are having budgeting to afford household bills, if he will engage the ESB and Bord Gáis to request that they provide free pay-as-you-go meters to customers who are in danger of falling into arrears on their bills; and if he will make a statement on the matter. [22390/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I have no statutory function in the setting of energy prices, whether in the regulated or non-regulated market. Price setting by Bord Gáis, ESB Electric Ireland and Airtricity in the electricity market is a commercial matter for the companies. Responsibility for the regulation of the electricity and gas markets is a matter for the Commission for Energy Regulation (CER), which is an independent statutory body.

In line with the CER's code of practice on disconnection, electricity and gas suppliers must facilitate payment options/plans for domestic customers experiencing genuine financial hardship and, where appropriate, engage with a money advisor acting on behalf of the customer such as MABS or a recognised charity. This must include offering the customer a prepayment meter or budget controller (for electricity) if this is possible.

Over the past three years the CER has been working with the gas industry to make prepayment meters (PPM) more accessible for customers who need them. To assist customers through their financial difficulties, a full prepayment metering solution has been rolled out. The gas market systems are established so that eventually all domestic suppliers can provide prepayment metering, with the intention that all Prepayment customers would be able to change supplier seamlessly if they so wished.

Currently Bord Gáis Energy (which has 525,000 out of the 621,000 residential customers) is the only supplier providing Pre Payment Meters. However, Flogas and Airtricity, which also supply the residential market, have committed to the CER to putting internal systems in place to underpin Pre Payment Meters services.

The CER has been working with electricity suppliers over the past number of years on the provision of prepayment meters or budget controllers (an older technology) to customers. Budget controllers are in themselves not meters but a budget management device that is installed in addition to the customer's meter. To date, only ESB Electric Ireland has installed budget controller units for customers. However, PrePayPower.ie is currently offering prepayment meters directly to customers.

The CER is currently developing with industry a more modern prepayment 'keypad' solution to budget controllers, which will be available to customers of all suppliers in financial hardship. It will be similar to the Keypad meter currently offered in Northern Ireland. The first 20k of these Keypad meters will become available from this winter, with 100k planned to be available by the end of 2012. They will be made available only to those in financial hardship and in those cases the cost of the meter and its installation will be free of charge.

### Sports Facilities

437. **Deputy John Lyons** asked the Minister for Communications, Energy and Natural Resources if he will provide details of the means by which members of the public can report their concerns regarding the operation of watersports leisure centres; if there is a specific authority charged with this function; and if he will make a statement on the matter. [22392/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The operation of watersports leisure centres is not a matter for this Department.

### Telephone Hacking

438. **Deputy Michael McCarthy** asked the Minister for Communications, Energy and Natural Resources the number of complaints ComReg has received in each of the years 2009, 2010 and to date in 2011 from customers who believe their phones have been hacked; the breakdown in terms of personal mobile phone devices, household landlines and business telephone systems and exchanges or PABXs in tabular form; the number of these alleged incidents that have been deemed by ComReg to be valid; in respect of PABXs in particular, the total cost incurred by affected companies each year as a result of the fraud; and if he will make a statement on the matter. [22450/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Regulation of the telecommunications sector is a matter for the Commission for Communications Regulation (ComReg) which is independent in the exercise of its functions. The information requested by the Deputy, based on information supplied to me by ComReg, is set out in the following table:

Year	Number of hacking complaints received	Number of cases deemed valid hacking	Complaints by service type	Cost incurred
2009	23	19	16 PBX. 03 Dial-up Internet. 02 Internet, type not specified. 01 Mobile. 01 Broadband.	€195,461
2010	25	21	15 PBX. 05 Mobile. 04 Dial-up Internet. 01 Broadband.	€333,441
2011	22	21	10 PBX. 05 Broadband. 04 Mobile. 01 Dial-up Internet. 01 Landline. 01 VoIP.	€93,945

PBX = Private Branch Exchange, usually a company switchboard with several telephone lines

### Missing Persons

439. **Deputy Joanna Tuffy** asked the Minister for Communications, Energy and Natural Resources if he has any proposals to put in place a hotline number for missing children which is operational in some EU member states; and if he will make a statement on the matter. [22452/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The 116 number range is reserved for services of social value. The revised telecoms package transposed by my Department in July 2011 obliges Member States to promote and encourage the provision of specific numbers in the 116 number range and ensure that citizens are adequately informed of the existence and use of such services. It also requires Member States not only to reserve the 116000 number but also to make every effort that a service for reporting missing children is actually available in their jurisdictions.

The allocation of specific numbers in the 116 number range is managed in Ireland by the Commission for Communications Regulation (ComReg). The role of ComReg is limited to the assignment of the number to an appropriate service provider. ComReg has alerted potential service providers, through an advertisement campaign, to the existence of the range of numbers beginning with 116, including the 116000 hotline for missing children. Suitable applicants have been invited to apply for the setting up of services of social value under the specified numbers. I am advised by ComReg that no organisation has yet applied for the missing children hotline number 116000. Once the number has been assigned, it is a matter for the service provider to provide the service. Neither ComReg nor my Department has any function in providing such services or the remit to require any organisation to provide the service.

While I have the responsibility for the transposition of the relevant EU Directives, the policy function in relation to the provision of a service for reporting missing children falls elsewhere. In an effort to make progress on the provision of this service in Ireland, my Department has had discussions with both the Department of Justice and Equality and the Department of Children and Youth Affairs, which have policy functions in the area of missing children and child protection. I have also written to both Ministers on this issue.

I understand that the Department for Children and Youth Affairs has had discussions with prospective service providers, including NGOs and hopes to be in a position to progress this matter in conjunction with Department of Justice and Equality.

### **Departmental Equipment**

440. **Deputy Dara Calleary** asked the Minister for Communications, Energy and Natural Resources the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22484/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** My Department has seventy-nine physical computer servers, providing live, development and test environments for internal services. The number of physical servers will continue to reduce as virtual server technologies are used to provide multiple services from a single physical server.

The amount of storage on each of these servers varies between 33 Gigabytes and 1.2 Terabytes, depending on the age and function of the server. Currently there is a total of 14.06 Terabytes of storage available to these servers.

The number of servers used by the agencies under the aegis of my Department is an operational matter for which I have no responsibility.

### **Telephone Hacking**

441. **Deputy Joe Costello** asked the Minister for Communications, Energy and Natural Resources if he proposes to introduce legislation to compel mobile phone companies to introduce security measures to prevent unauthorised access; and if he will make a statement on the matter. [22530/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I have no proposals at present to introduce the legislative measures referred to by the Deputy. The unauthorised access of personal information is, in the first instance, a matter for An Garda Síochána and the Office of the Data Protection Commissioner, which has responsibility for the protection of personal information.

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I understand that the Office of the Data Protection Commissioner is having discussions with some of the mobile phone operators in relation to this matter with a view to addressing potential problems with the existing voicemail access system.

Consumers can ensure greater security by ensuring that the default access code for voicemail is changed and by deleting messages in their voice mailboxes. I also understand that many new Smart Phone devices have built in privacy managers which allow the user to customise how the phone manages personal information, and that these settings can be changed at any time and not just when an application is first installed. The use of PIN numbers for access to handsets and voicemail and in some instances encryption of messages allow users to protect information stored on their phones, such as SMS messages and emails, as well as enabling them to protect personal information, such as voicemails, stored on the telecommunications network.

I recently introduced secondary legislation which obliges undertakings providing publicly available electronic communications networks or services to safeguard the security of its services and, indeed, it is an offence for such undertakings not to comply with these requirements. Provisions in relation to data breaches have also been strengthened. Responsibility for the enforcement of these measures rests with the Office of the Data Protection Commissioner.

### **Appointments to State Boards**

442. **Deputy Anne Ferris** asked the Minister for Communications, Energy and Natural Resources the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22546/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I fully support the commitment in relation to gender balance in the composition of State Board appointments.

I wish to inform the Deputy, that following the Government Decision regarding new procedures for Appointments to State Boards, I have publically sought Expressions of Interest for appointments for vacancies which arise in bodies under the aegis of my Department in 2011.

Under the new process of making future appointments it will be an objective of mine to further the commitment in the Programme for Government that all State Boards should have at least 40% of each gender. I have recently appointed one male and one female to the Board of the ESB.

### **Post Office Network**

443. **Deputy Charlie McConalogue** asked the Minister for Communications, Energy and Natural Resources if he will work to ensure that mail sorting services will be retained by An Post offices at Kilmacrennan, Churchill and Ramelton, County Donegal, in order to ensure the retention of comprehensive services to customers in these local areas; and if he will make a statement on the matter. [22566/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** Matters relating to An Post's post office network, including the retention of mail sorting services at individual post offices, are an operational matter for the Board and management of An Post and one in which I have no statutory role.



### Departmental Staff

444. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the number of quangos, agencies and authorities that were established by his Department in each of the years 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22576/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I can inform the Deputy that 2 bodies have been established under the remit of my Department since its formation in June 2007.

The Broadcasting Authority of Ireland was established under the Broadcasting Act 2009 and replaced both the Broadcasting Commission of Ireland and the Broadcasting Complaints Commission.

The new inland fisheries authority, Inland Fisheries Ireland, was established under the Inland Fisheries Act 2010. The new authority replaces the Central Fisheries Board, seven regional fisheries boards, eight fisheries development co-operative societies and the National Salmon Commission.

The number of whole-time equivalent staff employed in my Department, under its present configuration, was 339 at end December 2007. The corresponding number at end January 2011 was 260.

### Departmental Reports

445. **Deputy Joe McHugh** asked the Minister for Communications, Energy and Natural Resources the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22593/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** As my Department was established in its present form in 2007, the identification of records prior to January 2007 cannot be facilitated without undue commitment of staff resources and administrative cost. However, if the Deputy has a question in relation to a specific item I will make appropriate enquiries.

In the time available, it has not been possible to prepare a complete schedule of the material sought in relation to the period since the establishment of my Department. I have directed that this be completed as soon as possible and forwarded to the Deputy thereafter.

### State Agencies

446. **Deputy Mary Lou McDonald** asked the Minister for Communications, Energy and Natural Resources the money saved if all State agency board member payments in his Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22736/11]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** I wish to inform the Deputy that the payment of fees to the Chairpersons and Directors of State Bodies under the aegis of my Department are in compliance with the guidelines issued by the Minister of Finance, which provides for a number of levels of payment depending on matters

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such as the complexity, scale and extent of the functions of individual bodies. The maximum rate of Board Fee applicable for bodies under the aegis of my Department is €31,500.

The issue of the payment of any other operational expenses to board members is a day to day matter for the body concerned.

### **Local Authority Charges**

447. **Deputy Pearse Doherty** asked the Minister for the Environment, Community and Local Government if he will quantify the potential for tax revenue arising from increasing the current €200 second home charge to €600 for the second home, €700 for third home, €800 for fourth home and so on. [22023/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** From information obtained from the Local Government Management Agency and based on the number of properties registered for the non-principal private residence charge as at 19 July 2011, the potential revenue from the scenario put forward would amount to some €350 million.

### **Local Authority Housing**

448. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government the steps he will take to ensure all local authorities, Dublin City Council in particular, have ended the practice of renting bedsits to mainly older single tenants, and the moneys that has been made available to councils to replace or alter these bedsits with at least one-bedroomed flats that meet the Irish and EU standards that the private rented market has to comply with; and if he will make a statement on the matter. [22245/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** In September, 2006, my Department launched the programme Action on Private Rented Accommodation Standards. Arising out of this programme, on 1 February, 2009, new regulations prescribing minimum standards for rented housing, the Housing (Standards for Rented Houses) Regulations 2008) came into effect, with certain provisions being phased in for existing rental properties over a four year period.

A number of further measures, including a strengthened sanctions regime, required primary legislation and this was delivered by means of the Housing (Miscellaneous Provisions) Act 2009. The Housing (Standards for Rented Houses) (Amendment) Regulations 2009 made minor amendments to the 2008 Regulations for compatibility with the 2009 Act and completed the new regulatory code.

Article 2 of the Regulations sets out the date from which the Regulations take effect. This depends on whether or not the house is an existing rental property and in such circumstances Articles 6, 7 and 8 will apply from 1 February, 2013. The purpose of Article 6 of the regulations is to ensure that each rental property has exclusive access to its own sanitary facilities and that those facilities are contained within the habitable area of the house. This provision will have the effect of removing traditional bed-sit-type accommodation from the rental market. Articles 7 and 8 relate to effective heating and to sole access to adequate facilities for hygienic storage, preparation and cooking of food.

All landlords have a legal obligation to ensure that their rented properties comply with these regulations. Responsibility for enforcing the regulations rests with the relevant local authority, supported by a dedicated stream of funding allocated by my Department.

To ensure that all local authority housing stock meets the necessary standards required under the Regulations, my Department established a €10 million fund in 2010 to support local authorities, where required, in upgrading their stock. Over the course of 2010, authorities expended €6.7 million on upgrades with a further €0.56 million expended in 2011.

### Carbon Credits

449. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the steps he will take to claw back part of the €850 million worth of carbon credits that have been gifted to the cement industry at a cost to the taxpayer this year. [21143/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** No carbon credits have been allocated to the cement sector and no cost has been incurred by the Exchequer in this regard.

The process of allocating carbon allowances to Irish installations which fall within the scope of the current phase of the EU emissions trading scheme is provided for under the National Allocation Plan 2008-12. Under EU law, National Allocation Plans approved by the European Commission are final and ex-post adjustments by Member States are not permissible. Allowances to installations are underpinned by assigned amount units which Member States, as Parties listed in Annex B of the Kyoto Protocol, received free of charge. Consequently, no cost was incurred by the Exchequer in giving operational effect to the National Allocation Plan 2008-12.

### Forbairt na Gaeltachta

450. D'fhiafraigh **Brian Stanley** den Aire Comhshaoil, Pobail agus Rialtais Áitiúil cad é an plean atá ag an Rialtas le haghaidh Mheitheal Forbartha na Gaeltachta; agus an ndéanfaidh sé ráiteas ina thaobh. [21791/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Tá 36 grúpaí gníomhaíochta áitiúla conraithe ag mo Roinn ar fud na tíre chun seachadadh a dhéanamh ar an gClár Forbartha Tuaithe 2007-2013. Tá chuile grúpa atá conraithe ag déanamh seachadadh ar an gclár sin bunaithe ar thuairisc gnó a d'ullmhaigh siad mar chuid den próiseas roghnúcháin. Is comhlachtaí teoranta príobháideach iad na grúpaí seo agus mar sin níl ról ar bith ag mo Roinn i struchtúr nó feidhmiú na grúpaí seo seachas cinntiú go bhfuil said ag déanamh cur i bhfeidhm éifeachtach agus éifeachtúil ar an gClár Forbartha Tuaithe de réir na rialacha agus rialachán ábhartha. Is iad Meitheal Forbhartha na Gaeltachta an grúpa atá conraithe chun seachadadh a dhéanamh ar an gclár sa Ghaeltacht.

Déanann an-chuid de na grúpaí seo, ina measc MFG, seachadadh ar an gClár Forbartha Áitiúil agus Pobail ar son mo Roinn. Rinne Pobal ceapadh ar feidhmeannach neamhsplách ar son mo Roinn chun scrúdú a dhéanamh ar cheisteanna a ardaíodh ach atá fós gan réiteach in iniúchadh a rinne Pobal ar ghníomhaíochtaí Clár Forbartha Áitiúil agus Pobail MFG. Tá an feidhmeannach neamhsplách ag plé leis na ceisteanna atá gan réiteach agus ag iarraidh meicníochtaí feiliúnach a aitheant chun iad a réiteach. Tá súil le tuairisc dheiridh an fheidhmeannach faoi dheireadh Mí Meán Fómhair 2011. Cuirfear faoi bhráid Bord Pobal ansin é agus cuirfear moltáí i leith na tuairisce in iúl do mo Roinn.

Os rud é gurb iad MFG an grúpa atá conraithe le mo Roinn chun seachadadh a dhéanamh ar an gClár Forbartha Tuaithe agus ar an gClár Forbartha Pobail agus Áitiúil sa Ghaeltacht, leanfaidh mo Roinn ar aghaidh ag obair leis an gcomhlacht sa chomhthéacs sin, ag cur san áireamh tuairisc an Fheidhmeannach neamhsplách nuair a dhéantar cur faoi bhráid ar an dtuairisc i Mí Meán Fómhair. Lasmuigh de seo níl pleananna ar bith eile ag mo Roinn do MFG.

### **Social and Affordable Housing**

451. **Deputy Jack Wall** asked the Minister for the Environment, Community and Local Government his plans to address the anomalies in the shared ownership loans as presented by local authorities (details supplied); and if he will make a statement on the matter. [21866/11]

474. **Deputy Ciara Conway** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to a situation being faced by existing participants in the shared ownership scheme whereby the local authority's share of the property and the freehold remains and always will remain at purchase price while the owner's share in the property may have plummeted; his views on mechanisms to ensure that local authorities will incur a drop in the value of its share corresponding with overall drop in the total value of the property; the implications for participants in this scheme who are trying to sell their homes if local authorities do not incur such a drop on their stake in the property; the way this situation will be addressed in the interests of fairness for all parties; and if he will make a statement on the matter. [22242/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I propose to take Questions Nos. 451 and 474 together.

A person occupying a house under the shared ownership scheme has the right to buy out the local authority's share and acquire full ownership at any time. Alternatively, this may be done by purchasing, from time to time, additional shares of the authority's equity. For Shared Ownership transactions commenced from 1 January 2003, the cost of purchasing an additional share or the redemption value of the outstanding share is based on its initial cost adjusted annually to compensate for differences between the rent paid on the local authority's share and the interest calculated by reference to the prevailing variable interest rates. The rent payments under the Shared Ownership Scheme are intended largely to meet the cost of funding provided by the Housing Finance Agency to local authorities to finance the rented share in the equity of the house. For transactions commenced before 1 January 2003, the cost of purchasing an additional share, or the redemption value of the outstanding share, is its initial cost updated in line with the most recently published Consumer Price Index to the time of purchase.

Accordingly, the scheme is structured on the basis that, on redemption, the price of the outstanding share is not determined on the basis of a percentage of current market value, but is, rather, a function primarily of its initial capital cost.

While this may seem unfair to those living in shared ownership properties in the current market, it is important to note that the purchasers were in the position of having their share of the property rise in value when the market was rising.

Mortgage interest supplement under the Supplementary Welfare Scheme, administered by the Department of Social Protection, is payable, subject to the qualifying conditions of that scheme, in respect of mortgages under shared ownership transactions, in the same way as in the case of mortgages generally. An annual subsidy towards rent payments under the Shared Ownership Scheme is available through the Rental Subsidy Scheme, to households with 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.

The Government's housing policy statement, published on 16 June, announced the standing down of all affordable housing schemes, including the shared ownership scheme, as part of the review of Part V of the Planning and Development Act 2000.

### Departmental Properties

452. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the numbers and locations of his Department's buildings that are current in upward-only rent review contracts; the cost of rents for 2008, 2009, 2010 and the expected rents for 2011. [21912/11]

453. **Deputy Peadar Tóibín** asked the Minister for the Environment, Community and Local Government the numbers and locations of buildings his Department leases that are in upward-only rent contracts; the amount of rent for 2008, 2009, 2010 and the expected rent for 2011. [21913/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 452 and 453 together.

In general, buildings occupied by my Department are rented or leased by the Office of Public Works. The rents paid by my Department for office space rented directly are listed below.

	2008	2009	2010	2011 Estimated
Dublin Airport	€66,849.44	€73,719.98	€73,536.42	€73,673.95
Shannon Airport	€153,974.50	€150,637.02	€150,636.99	€150,171.95
Cork Airport	€3,688.41	Nil	Nil	Nil

In relation to the office space at Cork Airport, rent for 2009, 2010 and 2011 is yet to be paid, pending the finalisation of discussions with the Dublin Airport Authority which manages the airport.

The contracts do not contain upward-only rent review clauses.

### National Lottery Funding

454. **Deputy Paudie Coffey** asked the Minister for the Environment, Community and Local Government the amount of national lottery funding his Department received in 2009 and 2010; and if he will provide a list of the money that was spent in tabular form. [21975/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Details of expenditure by my Department which was part funded by the National Lottery in 2009-10 are set out in the following table:

Programme	2009 €m	2010 €m
Communal Facilities in Housing Projects	2.500	3.500
Private Housing Grants	3.500	6.688
Supports for Community and Voluntary Sector	11.220	7.283
Local and Community Development Programmes	21.844	20.381

### Planning Issues

455. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government the impact of his policies on conditions that attach to grants of planning permission by planning authorities where such conditions refer to planting of native species; where the definition of native species can be obtained so that planning conditions can be implemented; and if he will make a statement on the matter. [22042/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** The attaching of conditions to a grant of planning permission and the terms of such conditions are a matter for the planning authority concerned, having regard to statutory requirements, Government policy and Ministerial guidance, where appropriate.

While my Department does not provide specific guidance to planning authorities as to the types of native trees that should be planted as part of a condition of a permission, I understand that some local authorities identify particular native tree and hedge species which can be used in their area, in development plan policies, planning forms and public information sheets. Further advice in relation to the identification and listing of native species may also be obtained through Coillte's Woodland Restoration Programme — information can be found on the website — [www.woodlandrestoration.ie](http://www.woodlandrestoration.ie).

456. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government if, under the terms of the rain-water harvesting scheme, planning permission is required in situations in which the construction is overground and when it involves excavations in constructing an underground tank; and his views on whether this issue will remove the incentive for many farmers to proceed with this scheme. [22045/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I recently published draft Planning and Development (Amendment) (No. 2) Regulations 2011, which include a new exemption for works consisting of the provision of a tank or tanks for the storage of rainwater collected from the roofs of agricultural buildings and any ancillary equipment to collect and distribute the rainwater.

This proposed exemption is subject to the following conditions:

- No such structure situated fully underground shall exceed 10 metres in length, 5 metres in width or 4 metres in depth;
- No such structure that is totally or partially above ground shall exceed 5 metres in length, 5 metres in width or 4 metres in height;
- All such structures shall have a solid, impervious roof;
- No unpainted metal sheeting shall be used for roofing or on the external finish of the structure.

These Regulations required the positive approval of both Houses of the Oireachtas and were laid before both Houses on 23 June 2011. They were discussed and referred back to the Houses for approval by the Joint Oireachtas Committee on Transport, Environment, Culture and the Gaeltacht on 14 July, and received the positive approval of both Houses on 20 July. I expect to sign these Regulations into law shortly.

### **Housing Grants**

457. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government the amount of the grant approved to Laois County Council in 2011 under the housing adaption grant scheme, the mobility aid grant scheme, the housing aid for older people grant scheme, and for house purchase loans for works in lieu of local authority housing, social housing, rural dwellings, and Traveller accommodation; and if he will make a statement on the matter. [22047/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** Laois County Council have been allocated the following grants for social housing purposes in 2011, i.e.,

- Local Authority Social Housing €1,000,000
- Capital Assistance Scheme €100,000
- Traveller Accommodation €200,000
- Improvements/Remedial/
- Energy Efficiency €600,000

The projected spend on the Social Housing Leasing Initiative, including the Rental Accommodation Scheme, is just over €1.4m.

The suite of Grant Schemes for Older People and People with a Disability are funded by 80% recoupment available from my Department together with a 20% contribution from the resources of the local authority. The detailed administration of the schemes, including the assessment, approval of applications and the level of funding to be directed to each of the various grant measures is the responsibility of the relevant local authority.

The 2011 Exchequer allocation to Laois County Council in respect of these grant schemes is €900,000.

### **Commercial Rates**

458. **Deputy Sean Fleming** asked the Minister for the Environment, Community and Local Government if local authorities are under a statutory obligation to levy rates on property used for commercial purposes on a temporary or infrequent basis such as country markets, pop up shops or other temporary units that open up for various occasions such as Christmas and Easter; and if he will make a statement on the matter. [22048/11]

496. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government the legislative position with regard to landlords and outstanding rates owed to them by previous tenants; if new tenants are obliged to pay such fees; and if he will make a statement on the matter. [22560/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 458 and 496 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.

Under the legislation the person liable for payment of rates is the person in occupation of a rateable property on the date of the making of the rate by the relevant local authority. The owner rather than the occupier may be liable for commercial rates if the property in question is unoccupied on the date of the making of the rate. Should a person's occupancy commence after the date of the making of the rate then that person is not primarily liable for rates for that year. However, as a subsequent occupier, that person can be held liable for up to two years arrears of rates if they cannot be recovered from the person with whom the primary liability lies.

My Department continues to keep all matters relating to commercial rates under regular review.

### **Air Pollution Regulations**

459. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the implementation timeline for the planned new law for a low-sulfur stan-

[ Deputy Michael McGrath.]

dard for coal which he announced on 9 June 2011; and if he will make a statement on the matter. [22052/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** On 7 June 2011 I signed the Air Pollution Act, 1987 (Marketing, Sale and Distribution of Fuels) (Amendment) Regulations 2011. These Regulations require that all bituminous coal placed on the market for residential use must have a sulfur content of no more than 0.7%. This provision came into immediate effect and now applies throughout the State.

The Regulations place the main provision of an existing Voluntary Agreement between my Department and the Solid Fuel Trade Group (SFTG), representing the majority of major coal importers, on a statutory footing. The Voluntary Agreement, which has been in place since 2002, has reduced noxious emissions to air which result from the use of bituminous coal in residential dwellings. The Regulations consolidate the environmental and related human health benefits achieved by the Agreement.

The Regulations were prepared following an extensive consultation process between my Department and key stakeholders, which included the Environmental Protection Agency, local authorities and the SFTG. This consultation process commenced in November 2009 and continued up to the time that the Regulations were signed into law. My Department has ongoing contact with these stakeholders to ensure the effective implementation of the Regulations.

### **Census of Population**

460. **Deputy Joanna Tuffy** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to the fact that the 2006 preliminary census results underestimated the population recorded in the official 2006 census by almost 5,000 persons, and that if the preliminary census results for 2011 underestimate the official census results by 8,731 persons or more, his proposal to amend his Electoral (Amendment) Bill for a lower limit of 153 TDs, in place of his original proposed lower limit of 152, will lead to an unconstitutional provision in the Bill, thereby potentially rendering the terms of reference of the Constituency Commission unconstitutional and placing in jeopardy the validity of the Commission's final report; if he is genuinely taking the unprecedented population increases that have occurred here into account in this Bill, he will not only raise the lower limit in the Bill but also the higher limit of 160; his views on the fact that Ireland currently has an optimum ratio of Members of a Lower House of Parliament to the country's population according to the cube root law of assembly sizes; and if his further attention has been drawn to the fact that there are many European countries with a higher proportion of Members of a Lower House of Parliament to the population of those countries, and that there are over 1.2 million more persons living in the country than there were living in the country when the numbers of TDs were set by the Oireachtas at 166. [22060/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Section 9(1) of the Electoral Act 1997 requires a Constituency Commission to wait until the Central Statistics Office has published the final census figures before presenting its Report to the Ceann Comhairle. The Commission must finish its work not later than 3 months after the final census figures are published. Therefore, the Commission's report will be based on the Census Report setting out the final result of the Census in respect of the total population of the State.

The Programme for Government contains a commitment to reduce the number of members in Dáil Éireann. The provisions set out in the Electoral (Amendment) Bill 2011 respond to this commitment. The terms of reference of a Constituency Commission as set out in the Bill



require a Constituency Commission to recommend a set of constituencies based on a number of members of Dáil Éireann between 153 and 160. However, the terms of reference are subordinate to the relevant constitutional provisions. A Commission cannot recommend constituencies that do not meet the Constitutional requirements.

### **Water and Sewerage Schemes**

461. **Deputy Michael McCarthy** asked the Minister for the Environment, Community and Local Government when phase two of the Innishannon regional water scheme in west Cork will be initiated; and if he will make a statement on the matter. [22081/11]

**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 nationally, including County Cork. Provision is made to commence contracts to the value of over €200 million in the county during the period of the programme.

The programme aims to prioritise projects that target environmental compliance issues and support economic recovery. A key input to the development of the programme was the assessment of needs prepared by local authorities, including Cork County Council in response to my Department's request to the authorities in 2009 to review and prioritise their proposals for new capital works in their areas. These were subsequently appraised by my Department in the context of the funds available and key criteria that complemented those used by the authorities. Inevitably, through this process, certain projects that had been proposed had to give way to others that are more strategically important at this time. Cork County Council submitted a proposal for the extension of the Innishannon Water Supply Scheme (Belgooley & Riverstick) but it was not possible to include the proposal amongst the priority contracts and schemes selected for inclusion in the programme.

Progress under the Water Services Investment Programme 2010-2012, has recently been reviewed and through this process, consideration was given to any newly emerging priority contracts and schemes submitted by water services authorities for addition to the programme. No new proposal for the existing Innishannon Regional Water Supply Scheme was received from Cork County Council.

### **EU Funding**

462. **Deputy Michael Creed** asked the Minister for the Environment, Community and Local Government if there is any funding available from him or the EU under the water framework directive for funding community-based environmental educational initiatives; and if he will make a statement on the matter. [22085/11]

463. **Deputy Michael Creed** asked the Minister for the Environment, Community and Local Government if he will provide information regarding the EU Life Programme and the possibility of funding for community-based educational initiatives that have their objective of raising environmental awareness; and if he will make a statement on the matter. [22086/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 462 and 463 together.

The EU LIFE+ Programme 2007-2013 is a dedicated EU funding instrument for the environment which complements existing EU funding arrangements. It succeeds the EU LIFE Programme under which Ireland received funding of €14.5 million in respect of 30 LIFE- Environment projects.

[Deputy Phil Hogan.]

Life+ has three components: LIFE+ Nature and Biodiversity, LIFE+ Environment Policy and Governance and LIFE+ Information and Communication. Environment Awareness projects generally fit in the third strand of the Programme.

In addition all projects funded by the Life+ Programme have to include a public awareness strategy.

Projects must accord with national and EU priorities and have a clear EU added value. The programme is open to public or private bodies, or institutions registered in the EU.

The current phase of the programme runs from 2007-2013 and has a budget of just over €2 billion. Ireland's allocation is approximately €4 million per annum. The maximum co-financing available from the European Commission is 50% with exceptions for certain projects under the LIFE+ Nature component which may receive up to 75% EU contribution when clearly targeting priority species or habitats.

Projects are assessed by the Commission based on their published Guidelines which are available on my Department's website [www.environ.ie](http://www.environ.ie) and on the EU website <http://ec.europa.eu/environment/life/funding/lifeplus.htm>.

Under the current Life + Programme, the Commission publishes an annual call for applications. Applications are routed through the National Focal Points which, in Ireland's case, is the Sustainable Development Unit of my Department. The deadline for submission of proposals this year was 18 July 2011.

The Local Agenda 21 Environment Partnership Fund is an annual grant scheme which has been run by my Department since 1997. Funded and administered jointly by my Department and local authorities, the aim of the scheme is to promote sustainable development by assisting small scale, non-profit environmental projects at local community level. This year a fund of €395,000 is being allocated by my Department, with matching funding expected from the Local Authorities. The encouragement of further private funding from individuals, groups or businesses is expected to achieve total funding for 2011 in excess of €1 million. 3,163 projects have been supported since the introduction of the scheme. The 448 successful projects in 2010 ranged widely in scope, including from community gardens, allotments, compost schemes, rainwater harvesting systems, ecological educational initiatives, environmental exhibitions and recycling initiatives.

There is no funding currently allocated under the EU Water Framework Directive for community based environmental education initiatives.

### **Local Authority Services**

464. **Deputy Anne Ferris** asked the Minister for the Environment, Community and Local Government when the *fixmystreet* website will be set up as provided in the programme for Government; and if he will make a statement on the matter. [22158/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Local authorities have arrangements and applications in place which facilitate citizens in making complaints or suggestions or in reporting problems through various mediums, including by post, phone, text, fax, e-mail and on-line through their websites. In the context of the commitment in the Programme for Government, my Department is working with local authorities in developing options for the enhancement of these arrangements which will further assist citizens in availing of local authority services and in reporting problems or faults to their local authority. I have received proposals for the piloting of a publicly accessible web site with associated

mobile technologies, designed to record non-emergency issues such as graffiti, road defects, street lighting and drainage. I expect the pilot to go live shortly.

### **Private Rented Accommodation**

465. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the number of cases that have been taken by the Private Residential Tenancies Board against landlords for breaches of regulations in 2009, 2010, and to date in 2011; the number and the percentage of these cases in which breaches were found to have taken place; and if he will make a statement on the matter. [22165/11]

**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), an independent statutory body established under the Residential Tenancies Act 2004.

The Act makes provision for enforcement by the Courts of Determination Orders made by the PRTB. If the Board or a party mentioned in a Determination Order is satisfied that another party has failed to comply with one or more terms of that order the Board or the mentioned party may make an application to the Circuit Court in accordance with section 124 of the Act. The Act also provides for the enforcement of tenancy registration requirements, 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.

The PRTB publishes statistics in relation to its enforcement actions in its Annual Reports which are available on its website *www.prtb.ie*. The most recent Annual Report currently available is that for the year 2009.

466. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government his views on strengthening the powers of the Private Residential Tenancies Board to address the ongoing problem of rogue landlords; and if he will make a statement on the matter. [22166/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** The obligations of landlords and tenants in the private rented residential sector are set out in the Residential Tenancies Act 2004 which provides the main legislative framework for the sector and, in particular, for the operation of the Private Residential Tenancies Board (PRTB), the independent statutory body charged with the administration of the Act and the enforcement of those obligations.

Breaches of landlords' obligations may be referred to the PRTB in the context of applications to it for its disputes resolution services. The PRTB may then issue directions regarding those obligations in its Determination Orders and, in the event of non-compliance with the Orders, it may pursue enforcement via Court proceedings.

My Department conducted a review of the Act in 2009 with a specific emphasis on whether the Act best supports the PRTB's key functions and whether legislative amendments would support either the achievement of additional operational efficiencies by the PRTB in the delivery of those functions or the broader good working of the private rented sector. The outcomes of the review were announced by my predecessor as Minister of State and, in April 2010, the Government approved the preparation of the Heads of a Bill to deliver on the review's recommendations.

[Deputy Willie Penrose.]

I am at present evaluating those recommendations and associated legislative proposals and I intend to submit proposals in that regard to Government in the near future.

### **Fire Services**

467. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he has been sent a copy of the Hayes Higgins Partnership report by Dublin City Council, which was commissioned to examine the serious defects and fire safety issues at an area (details supplied) in Dublin 13; if he will publish the report; his views on the report; the steps that will be taken to resolve all outstanding issues; and if he will make a statement on the matter. [22167/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The reply to Question No. 122 dated 6 July 2011 dealt comprehensively with the issues raised. As indicated, Dublin City Council, as a property owner in Priory Hall, commissioned a building survey in conjunction with other property owners in the complex who agreed to participate in the survey on a fee-paying basis. The report has recently been submitted to the Council and is currently being considered. Copies of the report have also been forwarded to those owners who participated in the survey. The question of further publication does not therefore arise.

### **Local Authority Housing**

468. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the number of persons on the homeless list, the housing list, the transfer list, and the priority housing list for area B and the other housing areas of Dublin city; the way these figures compare with similar statistics for 2009 and 2010; and if he will make a statement on the matter. [22168/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** Data on housing needs have historically been compiled on a triennial basis by my Department. However, with effect from the 2011 survey, the results of which will be published later this year, this exercise will be conducted on an annual basis. At present, the most recent data available are from 2008 and these are available on our website *www.environ.ie*. There is no differentiation between priority housing lists and housing lists in the aggregated data that my Department collects.

### **Homeless Persons**

469. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government the number of homeless persons in Dublin in 2008, 2009, 2010 and to date in 2011; and if he will make a statement on the matter. [22169/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** A statutory assessment of housing need is carried out every three years by all housing authorities. Data for the 2011 Assessment of Housing Need are currently being compiled by the Housing Agency and will be published as soon as possible. The last assessment took place in 2008 and indicated that there were 1,394 homeless households on local authority waiting lists, of which 709 were in the Dublin region. A breakdown of this figure by household on a local authority basis is available on my Department's website at *www.environ.ie*.

However, the Counted In survey, which is a special purpose count of people using homeless services carried out in Dublin every three years since 1999, has been generally considered to

provide the most robust indicator as it surveyed the number of homeless persons in homeless hostels, shelters, sleeping rough, etc, over a particular week, irrespective of whether they have made application to the housing authority.

The results of the last Counted In survey in 2008 reported a total of 1,436 homeless households in Dublin, compared with 1,361 in 2005. A further 708 households were recorded as residing in long-term or transitional accommodation. However, not all of these would be regarded as homeless, particularly where, for example, households were resident in suitable accommodation that would be likely to provide their most appropriate home in the long-term, or where they had begun to make a transition out of homelessness.

The Pathway Accommodation & Support System (PASS) is an accommodation management and inter-agency service user support system which is being developed in accordance with priority actions of the implementation plan set out under national homeless strategy 2008-2013 The Way Home. The system commenced in the Dublin Region in January 2011 and is currently in use by almost all service providers of homeless accommodation and outreach supports in the Dublin region. Work is still ongoing to ensure consistency of use and accurate information recording by the service providers, as well as the elimination of duplicate records, validation of data etc. The PASS system will provide good quality timely data on homelessness which is essential in ensuring an evidence base for all homeless services. I understand that validated data on the number of persons recorded as homeless on the PASS system in the Dublin region will be available in September 2011.

### **Tribunals of Inquiry**

470. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government when the final report on the Mahon tribunal will be published; and if he will make a statement on the matter. [22170/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I am advised by the Tribunal of Inquiry into Certain Planning Matters and Payments that it expects to complete its final report within the coming months, at which time the report will be submitted to the Clerk of the Dáil who will arrange to have it laid before both Houses of the Oireachtas immediately on its receipt.

### **Unfinished Housing Developments**

471. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if he has had any response from developers to his request that they act without delay and address the problems of unfinished so-called ghost estates; if he is disappointed at the response; his views on any other measures to force developers to fulfil all of their responsibilities in terms of any estates that they may have left unfinished; and if he will make a statement on the matter. [22171/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I have established and am chairing the National Co-ordination Committee on Unfinished Housing Developments to oversee implementation of the Report of the Advisory Group on Unfinished Housing Developments, entitled Resolving Ireland's Unfinished Housing Developments, together with the Government's response to the recommendations entitled Resolving Unfinished Housing Developments. Both reports are available on my Department's website — *www.environ.ie*.

The Committee will be meeting on a regular basis with the aim of publishing a report on progress achieved within the next 12 months. At the national level, I am encouraged by the

[Deputy Willie Penrose.]

strong consensus and commitment among the key stakeholders who are participating on the Committee and, at the local level, I understand that planning authorities are already making progress in securing the co-operation of developers, financial institutions and/or bondholders in seeking to resolve urgent public safety works and in preparing site resolution plans for these housing developments.

472. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Community and Local Government if there will be any more tranches of money available under the Resolving Ireland's Unfinished Housing Developments programme to address the public safety issues associated with unfinished estates; if so, when this money will be allocated and the local authorities that will receive same; the mechanism that will be used to claw back this money from the developers concerned; and if he will make a statement on the matter. [22172/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I introduced the Unfinished Housing Developments Safety Initiative earlier this year as a response to the issues identified in the report of the high level group set up to assess the issue. My primary concern was to make safe those estates which posed a safety risk to the public and where funds to remedy these issues could not be ordinarily accessed by means of completion bonds or pursuit of developers.

An allocation of €5 million was made available by my Department and local authorities were invited to make applications for funding to alleviate the problems in those instances that qualified for the funds.

To date 237 developments have been identified as qualifying for funding and submissions have been received in the case of 146 of these. The balance of submissions and associated claims are anticipated shortly. Allocations of €1.4 million have been approved by my Department in the case of 58 estates, as outlined in the following table. The remaining 88 applications are being evaluated and allocations will be issued shortly.

The scheme was initiated as a health and safety initiative and was driven by the urgency of the situation. The local authorities are required to pursue recovery of funds expended from those developers and bond issuers who remain liable for the works.

Local Authority	Amt. Approved	Location	Name of Estate
Galway City	26,306.00	Doughiska Road	Foinnuisce
Monaghan	3,405.00	Monaghan Town	Forest Walk
Monaghan	18,387.00	Carrickroe	Chapel Court
Laois	37,410.00	Borris in Ossory	Glenall
Laois	1,419.00	Mountrath	Rush Hall
Laois	5,675.00	Mountrath	Radharc Na Sleibhe
Laois	23,268.00	Portarlinton	Sli na Mona
Cork Co Co	124,850.00	Castletownbere	Mariners View
Cork Co Co	38,540.00	Dromina	Ashbrook
Longford	73,775.00	Stonepark	Silver Birches
Longford	22,491.00	Abbeylara	Abbeyview
Longford	33,074.00	Cullyfad	Radharc an Choill
Longford	40,974.00	Moyne	Sli Corglass
Longford	28,489.00	Newtownforbes	McArt Meadows
Longford	55,676.00	Aughnacliffe	Forthill
Longford	4,086.00	Cullyfad	Woodland Park

Local Authority	Amt. Approved	Location	Name of Estate
Longford	3,519.00	Drumlish	Sliabh Rua
Longford	44,379.00	Longford Town	White Linen Woods
Longford	11,577.00	Granard	Cnoc na Greine
Longford	19,409.00	Newtownforbes	An Caislean Breac
Longford	20,076.00	Carrickboy	Rath Na gCairraige
Longford	34,916.00	Legan	Hazelwood
Longford	8,172.00	Stonepark	The Rocks
Longford	20,090.00	Clondra	The Mill
Longford	13,280.00	Keenagh	Clough Dillons 2
Longford	11,123.00	Edgeworthstown	Abhainn Glas
Longford	8,297.00	Abbeylara	Mastersons Court
Sligo	9,750.00	Strandhill	Dorrins Strand
Sligo	9,800.00	Ballygawley	The Fairways
Sligo	9,697.00	Ballymote	The Downs
Sligo	4,200.00	Riverstown	Kincastle Const
Sligo	47,000.00	Ballymote	Earls Court
Waterford Co Co	14,000.00	Comeragh	Deerpark
Waterford Co Co	20,000.00	Dungarvan	An Leachain
Waterford Co Co	10,000.00	Dungarvan	An Crompan
Kilkenny	34,220.00	Urlingford	Togher Way
Kilkenny	42,165.00	Ferrybank/Belview	Farmlea Manor, Abbeylands
Kilkenny	71,079.00	New Ross	Castlehyde Park, Millbanks
Kilkenny	11,804.00	Gowran	The Paddocks
Kilkenny	17,366.00	Graiguenamanagh	Cois na Bearu
Kilkenny	26,275.00	Thomastown	Dunan, Cloghabrody
Westmeath	47,500.00	Mullingar	Cloon Lara
Westmeath	25,037.00	Castlepollard	Rathgrave Green
Westmeath	12,994.00	Castlepollard	Clois na Cille
Limerick Co Co	10,215.00	Abbeyfeale	Cois na Feile
Limerick Co Co	5,130.00	Broadford	Cluain Dara
Limerick Co Co	29,000.00	Bruff	The Grove
Limerick Co Co	28,000.00	Castletroy	Evanwood
Sth Tipperary	15,400.00	Gortnahoe	The Paddocks
Sth Tipperary	50,609.50	Clonmel	Ard Na Sidhe
Galway CC	23,757.00	Tuam	Tir an Choir
Galway CC	36,259.00	Loughrea	Carrig Mor
Galway CC	40,400.00	Loughrea	Carraig Linn

### Departmental Funding

473. **Deputy Terence Flanagan** asked the Minister for the Environment, Community and Local Government if there will be a permanent funding stream for a law centre (details supplied) in Dublin 17; and if he will make a statement on the matter. [22220/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I am aware that the Department of Social Protection currently provides core funding to the Centre and that this funding stream is currently under review within that Department.

[Deputy Phil Hogan.]

My Department has no funding stream available for such activities but the law centre in question may wish to contact its Local Development Company (LDC), Northside Partnership, which is funded under my Department's Local and Community Development Programme, to determine if there is any support the LDC can provide to the centre locally.

The LDC can be contacted as follows:

Northside Partnership

Coolock Development Centre

Bunratty Drive

Coolock

Dublin 17

Phone (01) 8485630; e-mail info@northsidepartnership.ie.

*Question No. 474 answered with Question No. 451.*

### **Local Authority Housing**

475. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government his views on allowing Dublin City Council to alter the differential rent scheme to charge tenants who live in severely substandard accommodation in flat complexes belonging to the council that have been earmarked for regeneration but for which regeneration has been put on hold a discounted rent until such time as these complexes are regenerated or the accommodation brought up to an acceptable standard; and if not, if consideration will be given to same in view of the fact that the conditions in some complexes are seriously affecting the health of many tenants. [22243/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** Local authority rents are set in accordance with a rent scheme adopted by each local council. The making and amending of these rent schemes are an integral part of a housing authority's housing management functions, subject to broad principles laid down by my Department in Circular letter HRT 3/2002 of 6 March 2002.

Section 31 of the Housing (Miscellaneous Provisions) Act 2009 will replace, once commenced, existing enactments in relation to differential rent schemes. Regulations and guidelines for housing authorities to give effect to section 31 are currently in preparation in my Department. While it is not the intention to introduce a national standardised differential rent scheme, regulations later this year will more clearly set out the matters that may be included in a local rents scheme, including —

- the level, type and sources of household income that may be assessed for rent purposes;
- how dependents will be accounted for in calculating rent;
- the manner in which the size, standard, etc., of any class or classes of dwellings shall be taken into account in determining rent, having regard to the market rent in respect of dwellings of similar size, standard, etc., in the administrative area concerned; and
- procedures for rent reviews.

476. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government his views on whether it would be possible to grant Dublin City Council moneys that are required to refurbish or bring to a habitable standard the many substandard flats they have in flat complexes earmarked for regeneration that have been put on hold; and



if not, if consideration will be given to same, as the conditions in some complexes are affecting the health of many tenants. [22244/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** My Department continues to work closely with Dublin City Council in progressing its regeneration programme for the former PPP projects at St. Michael's Estate, O'Devaney Gardens, Dominick Street, St. Theresa's Gardens, Croke Villas, and Dolphin House. To support this programme, I have made an allocation of €7 million available to the Council this year to support the construction works at St. Michael's estate, demolition at St. Michael's Estate and O'Devaney Gardens, and for the relocation of households from these complexes to facilitate future regeneration. Under the terms of the regeneration programme, the City Council is required to prepare a comprehensive master plan for each project that considers not just the physical improvements but also the social and economic regeneration of the areas. This holistic approach is fundamental in building and supporting sustainable, stable communities and my Department continues to work closely with the City Council in this regard.

In terms of the six individual projects, the following is the current position:

- Last autumn, my Department approved the City Council's first phase redevelopment at St Michael's Estate, with Exchequer funding of €5.8 million being provided for the social housing element. This project is underway with the original housing substantially demolished and construction commenced;
- Outline proposals for O'Devaney Gardens and Dominick Street are currently going through the statutory planning process following which detailed designs will to be prepared and submitted for Departmental consideration;
- A preliminary report outlining possible options for the redevelopment of St Teresa's Gardens was received in my Department in March 2011 and is under consideration in the context of the overall regeneration programme;
- The City Council is undertaking a full survey of the Dolphin House complex which will be used to inform a programme of remedial improvements there. Remedial works to the plinths have already commenced and the City Council are reviewing the results of a pilot project to address ventilation issues in six units completed recently;
- The City Council is continuing its programme of relocations from all of the complexes, although the level varies between complexes for local and other reasons. These relocations are critical to facilitate the future regeneration of the areas.

### **Social and Affordable Housing**

477. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government the capital housing grant application for senior citizen housing projects that Dublin City Council has made to his Department for each of the past four years; the value of each application; the location of the proposed schemes; the number of units to be built and refurbished; the result of such application; if still pending a decision, the reason for same; and when a decision will be made. [22246/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** My Department provides funding for senior citizen housing projects through a number of capital funding mechanisms, including the Social Housing Investment Programme, Capital Assistance Scheme and the Improvement Works Programme, the allo-

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cations for which are provided to Dublin City Council on a annual basis. There is no specific allocation for senior citizen projects within the overall capital allocations programme.

A number of projects, completed, ongoing and proposed, would include senior citizen units as part of a larger overall scheme, and these units may not be readily identifiable to my Department, as the allocation of units is a matter for the local authority concerned.

Based on the local authority's annual allocations it is a matter for housing authorities to finalise their plans for the composition, management and delivery of their programmes, taking into account existing commitments, identifying priority projects and proposals, and providing a time line for delivery and a sustainable funding plan for each project and their programme as a whole.

Social housing allocations by local authority for the period 2007-2010 are available on my Department's website at [www.environ.ie](http://www.environ.ie) under Publications/Statistics and Regular Publications/Housing Statistics. In addition to €50 million allocated to the Ballymun Regeneration Scheme, my Department has allocated a further €50 million to Dublin City Council for the provision of social and voluntary units and improvement works in 2011.

478. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government the capital housing grant application for housing made by each of the voluntary housing associations to his Department for each of the past four years; the value of each application; the location of the proposed schemes; the number of units to be built; the result of such application; if still pending a decision, the reason for same; and when a decision will be made. [22247/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** Compilation of the detailed information sought, with regard to the number, location, status, value and decisions made or pending in relation to all applications received from local authorities in respect of proposals by individual approved housing bodies over the past four years, would involve an inordinate amount of staff time and resources. My Department will compile a spreadsheet, showing details of all the applications received from local authorities over that period together with a summary of the current status of each application, and this will be forwarded to the Deputy as soon as possible.

#### **Local Authority Housing**

479. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government the number of applicants on each of the local authority housing lists. [22248/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** A statutory assessment of housing need is carried out every three years by all housing authorities. Data for the 2011 Assessment of Housing Need is currently being compiled by the Housing Agency and will be published as soon as possible. The last assessment took place in 2008 and indicated that there were 56,249 households in need of social housing support. Detailed information on this assessment, including a breakdown by housing authority, is available on my Department's website — [www.environ.ie](http://www.environ.ie).

#### **Derelict Sites**

480. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to Dublin City Council's derelict sites

scheme, which allows the council to compulsorily purchase derelict properties which remain vacant for a substantial period; his views on extending such a scheme State-wide, without the need to CPO the site at market value, as local authorities cannot afford that, but for a nominal sum — for example, a sum equivalent to a peppercorn rent; and if he will make a statement on the matter. [22249/11]

481. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Community and Local Government if his attention has been drawn to Dublin City Council's derelict sites scheme, which allows the council to compulsorily purchase derelict properties which remain vacant for a substantial period; if his further attention has been brought to other jurisdictions which have such a scheme; and if he has looked at its operation there to see the benefits local authorities here would get from such a scheme. [22250/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** I propose to take Questions Nos. 480 and 481 together.

I understand that the Questions refer to the actions taken by Dublin City Council in meeting their obligations under the Derelict Sites Act 1990.

The Derelict Sites Act 1990 provides that local authorities are required to take all reasonable steps, including the exercise of appropriate statutory powers, to ensure that any land within their functional area does not become, or continue to be, a derelict site. To this end, local authorities have been given substantial powers under the Act in relation to any such sites, including powers to require specified measures to be taken in relation to a derelict site, to impose a levy on derelict sites, or to compulsorily acquire any derelict site. I expect local authorities to use their statutory powers as they consider appropriate.

Section 19 of the Derelict Sites Act provides for compensation with respect to the compulsory acquisition of derelict sites. The compensation paid is an amount equal to the value (if any) of the site. In default of agreement on the amount of compensation to be paid, the matter will be subject to arbitration under the Acquisition of Land (Assessment of Compensation) Act 1919.

The operation of derelict sites legislation is currently under examination by my Department in the context of the Unfinished Housing Estates Report.

#### **Private Rented Accommodation**

482. **Deputy Ciarán Lynch** asked the Minister for the Environment, Community and Local Government his plans to alter the position whereby a landlord who enters into a licence agreement directly with a tenant is not required to register with the Private Residential Tenancies Board or to comply with the standards for rented accommodation; and if he will make a statement on the matter. [22256/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** The Residential Tenancies Act 2004 applies to every dwelling that is the subject of a tenancy, subject to a limited number of exceptions which are set out in section 3(2) of the Act. Where a dwelling is occupied by a person under an arrangement or agreement which is not a tenancy or under a tenancy to which the Act does not apply, the PRTB does not have any function in the registration of such agreements or arrangements.

The PRTB can adjudicate as to whether a rental agreement is a tenancy or a licence and has done so in the past. Where it finds that a tenancy is unregistered due to the landlord's claim of licence, the PRTB can serve a notice requiring registration and failure to comply is an offence. I am unchanged in my view that all tenancies that should be registered with the PRTB must so be and I am supportive of the PRTB's enforcement activity in this regard.

[Deputy Willie Penrose.]

The Housing (Standards for Rented Houses) Regulations, 2008, made under section 18 of the Housing (Miscellaneous Provisions) Act, 1992 sets out minimum standards for private rental accommodation. These regulations apply to all houses which are let, or available for letting, for rent or other valuable consideration solely as a dwelling with the exception of certain categories of accommodation set out under Article 4 of the Regulations. These categories include houses let to a person for the purpose of occupying the house for a holiday and houses let by the Health Service Executive or by an approved body, where sanitary, cooking or dining facilities are provided for communal use within the building which contains the house.

### Departmental Funding

483. **Deputy Shane Ross** asked the Minister for the Environment, Community and Local Government the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22263/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The information requested is set out in the following table:

Year	Amount	Reason for Funding
2006	€2,420	Operational grant in respect of seminar on Restriction of Hazardous Substances Directive
	€12,100	Operational grant in respect of seminar on Waste Electrical and Electronic Equipment
2007	€25,277	Sponsorship of seminar, 'Towards a recycling society'
2008	€3,006	Press advertisement in IBEC publication (part of Climate Change Awareness campaign)

### Water Charges

484. **Deputy Ciarán Lynch** asked the Minister for the Environment, Community and Local Government the studies that have been undertaken into the introduction of water meters; if major urban areas and the remainder of the country were studied separately; if these examinations established the cost effectiveness of water metering; and if he will make a statement on the matter. [22273/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Fergus O'Dowd):** I refer to the reply to Questions Nos. 230 and 240 of 20 July 2011, which outline the position on this matter.

### Community Development

485. **Deputy Charlie McConologue** asked the Minister for the Environment, Community and Local Government the criteria for funding under the existing Clár programme for rural water schemes as operated by his Department over the past number of years; and if he will make a statement on the matter. [22340/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** No funding applications have been accepted since August 2008 under the main measures of the CLÁR Programme, including those that supported water infrastructure. Given the reduced

funding available to my Department, the CLÁR Programme, which was targeted at tackling infrastructure and services deficits in depopulated rural areas, has been wound down.

### **Unfinished Housing Developments**

486. **Deputy Brendan Smith** asked the Minister for the Environment, Community and Local Government if funding will be provided to Cavan County Council towards improvement works to unfinished housing estates; and if he will make a statement on the matter. [22359/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** The unfinished housing developments safety initiative was introduced earlier this year to deal with 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.

To date 237 developments have been identified as qualifying for funding and submissions have been received in the case of 151 of these. The balance of submissions and associated claims are anticipated shortly. Allocations have been approved by my Department in the case of 61 estates and allocations of €1.5 million made. The remaining 90 applications, including those made by Cavan County Council, are being evaluated and allocations will be issued shortly.

### **Local Authority Housing**

487. **Deputy John Lyons** asked the Minister for the Environment, Community and Local Government his plans to address the issue of anti-social behaviour in public or social housing, including the introduction of a probationary tenancy period for new tenants; and if he will make a statement on the matter. [22400/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** Section 29 of the Housing (Miscellaneous Provisions) Act 2009 provides for the prescription of different forms of local authority tenancies. In fulfilment of the commitment outlined in the Programme for Government, consideration will be given to making regulations providing for probationary tenancies, and their termination in the event of anti-social behaviour, when section 29 is being commenced as part of the ongoing implementation of the 2009 Act.

### **Community Development**

488. **Deputy Robert Troy** asked the Minister for the Environment, Community and Local Government the position regarding the RAPID funding which was previously allocated to County Westmeath; and if he will make a statement on the matter. [22442/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In relation to the proposal to allocate funding for the proposed Dormant Accounts RAPID additionality measure 5 new RAPID towns, including Mullingar in County Westmeath, projects nationally have been assessed and prioritised by Pobal, and these are currently being considered by my Department in the context of the reduced level of funding available in the current year, and also in the context of the review of expenditure that is being undertaken. Any decisions arising will be notified to all applicants as soon as possible.

### **ICT Services**

489. **Deputy Dara Calleary** asked the Minister for the Environment, Community and Local

[Deputy Dara Calleary.]

Government the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22488/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Department is engaged in consolidating servers to a bladed infrastructure which utilises virtual server technologies thus reducing significantly the need for separate physical servers and the power consumption associated with them. This consolidated infrastructure is supported by a total of 21 blade servers split across two physical locations. At present the total remaining number of separate physical computer servers is 51 and the specification varies depending on the number of users, operating systems and applications housed thereon. My Department currently provides ICT services to the Heritage Division of the new Department of Arts, Heritage and the Gaeltacht. In relation to the provision of ICT services for Agencies under the aegis of my Department, this is currently a matter for the Agencies themselves. The position in regard to shared ICT services is being explored in the context of ongoing rationalisation plans for Agencies.

### State Boards

490. **Deputy Anne Ferris** asked the Minister for the Environment, Community and Local Government the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22503/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Programme for Government 2011-2016 includes a commitment to take steps to ensure that all State Boards have at least 40 per cent of each gender. My Department routinely reviews the gender balance of State boards under its auspices and returns are made to the Department of Justice and Equality which has a coordinating role in this regard. The most recent returns by my Department show that at the end of 2010, the gender balance on State boards under the aegis of my Department stood at 37 per cent female and 63 per cent male. My Department is currently seeking expressions of interest for appointments to a number of State boards, and due regard will be had to Government policy on gender balance in making these appointments.

### EU Funding

491. **Deputy David Stanton** asked the Minister for the Environment, Community and Local Government the number of applications for funding under the Leader programme for the production of food-related products; the funding sought by each of these applications; the number of same that have been assessed and approved by the relevant development agency but have been unable to access funding due to a change in the source of funding for these projects; and if he will make a statement on the matter. [22516/11]

492. **Deputy David Stanton** asked the Minister for the Environment, Community and Local Government the position regarding discussions on the funding for the processing of Annex 1 (food products) under Annex 3 with the Department of Agriculture and the European Commission relating to Article 28 of Commission Regulation (EC) 1698/2005; when he expects such negotiations to be completed and decisions made; and if he will make a statement on the matter. [22517/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 491 and 492 together.

I refer to the reply to Question No 41 of 16 June 2011. My Department is continuing to work with the Department of Agriculture, Fisheries and Food to seek a solution. I am not in a position to make any decisions at this time. Any funding decision would fall to be made in the context of the overall budgetary situation later in the year.

The detailed information sought in respect of applications is not readily available and its compilation would involve a disproportionate amount of time and work.

### **Local Authority Housing**

493. **Deputy Mary Mitchell O'Connor** asked the Minister for the Environment, Community and Local Government if he will amend the Housing Act to specifically name domestic violence as anti-social behaviour in order that local authorities can exclude and evict perpetrators when they present a risk to their immediate family; and if he will make a statement on the matter. [22544/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** In view of the fact that the Domestic Violence Act 1996 provides a legal framework within which the victims of domestic violence can seek a range of remedies in the courts to suit particular circumstances, I have no proposals to extend the statutory powers of housing authorities in relation to anti-social behaviour in local authority housing to cover cases of domestic violence.

### **Homeless Persons**

494. **Deputy Mary Mitchell O'Connor** asked the Minister for the Environment, Community and Local Government if he will include domestic violence as one of the factors used to assess a person as homeless under the Housing Act, in view of the fact that the current situation disadvantages victims of domestic violence who are forced to flee their homes; and if he will make a statement on the matter. [22545/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** There are a number of measures available to housing authorities for dealing with persons made homeless as a result of domestic violence. I will, however, consider whether further safeguards need to be introduced in the context of future legislation.

### **Departmental Expenditure**

495. **Deputy Olivia Mitchell** asked the Minister for the Environment, Community and Local Government if his Department has, in view of the change of name of the Departments, procured a new logo, new signage or any other branding such as stationery; and if so, the cost of same; and if he will make a statement on the matter. [22556/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Department's logo was amended internally and incorporated on websites, ICT systems etc. without incurring costs other than staff time.

Existing stocks of headed paper are being run down, with labels showing the new name and logo being affixed where necessary at a cost of €1.92 per 1,000 sheets. Electronic stationary templates are also used.

[Deputy Phil Hogan.]

The requirements for new signage at office locations, including office accommodation acquired with the change in functions, are under review.

*Question No. 496 answered with Question No. 458.*

### **Departmental Bodies**

497. **Deputy Joe McHugh** asked the Minister for the Environment, Community and Local Government the number of quangos, agencies and authorities that were established by his Department in each of the years from 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22580/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The information requested is being compiled and will be forwarded to the Deputy as soon as possible.

### **Consultancy Contracts**

498. **Deputy Joe McHugh** asked the Minister for the Environment, Community and Local Government the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22597/11]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The information requested, in relation to an extended period of time, is not readily available in my Department and its compilation would involve a disproportionate amount of time and work. If the Deputy wishes to put down a more specific Question in the area of consultancies, or to communicate separately with me, I will endeavour to provide the information sought.

### **Local Authority Housing**

499. **Deputy Joe Costello** asked the Minister for the Environment, Community and Local Government if persons who are already on local authority housing lists will not be removed from the list and new rules relating to eligibility will apply to new applicants only; and if he will make a statement on the matter. [22606/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** A new standard procedure for assessing applicants for social housing was introduced in every housing authority on 1 April 2011. The new assessment system includes a requirement that applicants only need to apply to one housing authority to be placed on up to three waiting lists, provides for the use of a standard application form and sets maximum net income limits based on the cost of housing in the area in question. The ultimate aim of the new system is to create a fairer, more consistent and transparent approach to eligibility for social housing support. The criteria for determining housing need are set out in the regulations and are broadly similar to what was provided for in earlier legislation.

As was the case under the old system, housing authorities may review the eligibility for local authority housing of households on the waiting list at any time and are required to review eligibility prior to the allocation of accommodation. In this connection, my Department has advised authorities that, where household income is fluctuating over time, it may be advisable to take this into account when undertaking an assessment review and not necessarily take a



household off the waiting list unless there is reason to believe that the personal circumstances of the applicant have so changed that it is unlikely that they will qualify for social housing support at the allocation stage i.e. they are consistently over the income threshold.

I will keep all aspects the new assessment system under review to ensure that it functions in the intended manner. Since the Regulations were originally made, I have already made an amendment to increase the maximum income thresholds originally set by €5,000 in each band, with the intention of broadening the base from which social housing tenants are drawn, in order better to promote sustainable communities.

### **Local Authority Funding**

500. **Deputy Joe Costello** asked the Minister for the Environment, Community and Local Government the funding that has been set aside for developments (details supplied); the length of time the funding will be available to be drawn down; and if he will make a statement on the matter. [22607/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** My Department issued approval to Dublin City Council in September 2009 for the acquisition of 112 social units and associated ancillary facilities, including community and day care facilities at Spencer Dock, in the sum of €34.5 million. It is understood that a number of legal issues have arisen in connection with the planning of the development. Until these are resolved it is not possible to comment on how the project will be advanced.

With regard to Castleforbes Road, my Department granted approval of a loan of €4.7 million to Dublin City Council under the Capital Loan and Subsidy Scheme (CLSS) for the provision of 21 units of accommodation. The Council subsequently informed my Department that the developer had entered into receivership, and that it is not possible to say when the issues surrounding this may be resolved. CLSS is currently being wound down and any claims for such schemes must be submitted and drawn down before the end of 2011.

### **Departmental Bodies**

501. **Deputy Joe Costello** asked the Minister for the Environment, Community and Local Government if he has any plans to abolish the Dublin Docklands Development Authority and incorporate its functions into Dublin City Council; and if he will make a statement on the matter. [22608/11]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Willie Penrose):** The Dublin Docklands Development Authority was established both to secure the social and economic regeneration of the Dublin Docklands area on a sustainable basis and to secure improvements in its physical environment.

Since its establishment in 1997, the Authority has overseen the urban regeneration of the Dublin Docklands area into a vibrant city quarter, realising considerable achievements in delivery on its statutory mandate, such as attracting private and public investment, growing numbers employed in the area, delivering quality commercial space, facilitating thousands of new residential units and ensuring considerable social and community improvements.

In the context of the ongoing Comprehensive Review of Expenditure, the position of all State agencies under my Department's remit, including the Dublin Docklands Development Authority, is being examined as part of the Government's commitment to securing the savings and efficiencies necessary to restore balance to the public finances.

### European Conventions

502. **Deputy Anne Ferris** asked the Minister for Justice and Equality when he expects the Irish State to sign and ratify the Council of Europe's Convention on preventing and combating violence against women and domestic violence; and if he will make a statement on the matter. [22093/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Cosc, the National Office for the Prevention of Domestic, Sexual and Gender-based Violence, an executive office within my Department, actively contributed to all stages of the drafting process in relation to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Cosc is currently considering the steps which need to be taken to pave the way for a submission to the Government on the question of signature of the convention by Ireland. I anticipate that the matter will be submitted to the Government in the near future.

### Coroner Service

503. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality the number of deaths that have been referred to Dublin City Coroner of persons in Dublin central area for each of the past five years by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22665/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that the Dublin City Coroner's Office does not record referrals on a district or area basis and that the collation of such information would require a disproportionate use of available resources.

I can however advise the Deputy that the number of deaths reported to the City Coroner for each of the years 2006 to 2010 was as follows: 2006 — 2,417; 2007 — 2,646; 2008 — 2,753; 2009 — 2,910; and 2010 — 2,801.

### Course Accreditation

504. **Deputy Billy Timmins** asked the Minister for Justice and Equality the position regarding a matter (details supplied); and if he will make a statement on the matter. [21919/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that my Department has been in contact with the National Qualifications Authority of Ireland with regard to the application by the college referred to by the Deputy, a private US establishment, to be included on the Internationalisation Register (a list of approved courses for non-EEA students). I understand from those discussions that the college is not eligible for inclusion on the Internationalisation Register as it does not provide full time programmes in Ireland, of at least one year's duration leading to awards which are validated or accredited by national awarding bodies from other countries which have a status in law or are otherwise recognised as having authority to make awards which have national recognition in their host jurisdiction. The courses offered by the college are not accredited by any US educational authorities.

Notwithstanding the above, the Student Review Unit of the Irish Naturalisation and Immigration Service is considering the application of in question and will be in contact with the college in due course.

### Deportation Orders

505. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status including naturalisation in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [21921/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my reply to Parliamentary Question No. 376 of Tuesday 17 May, 2011 in relation to this person. The situation remains unchanged since that response.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Criminal Prosecutions**

506. **Deputy Finian McGrath** asked the Minister for Justice and Equality the number of persons prosecuted under the new gangland legislation. [21932/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I understand the Deputy's question to refer to the Criminal Justice (Amendment) Act 2009 which entered into force on 23 July 2009. The primary purpose of this Act is to provide for additional measures with respect to the combating of organised crime.

I am informed by the Garda authorities that since the enactment of the legislation until 30 June this year, the provisions have been used on 127 occasions where arrests have been made relating to organised crime. To date, eight individuals have been charged under the legislation, six under Section 72 of the Criminal Justice Act 2006 as inserted by section 6 of the 2009 Act (participating or contributing to certain activities) and two under Section 71A of the Criminal Justice Act 2006 as inserted by section 5 of the 2009 Act (directing the activities of a criminal organisation).

### **Sexual Offences**

507. **Deputy Finian McGrath** asked the Minister for Justice and Equality the way a community deals with a sex offender after they have been released from prison; and the further way public representatives can best deal with this matter. [21950/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can advise the Deputy that issues in relation to the management of sex offenders in the community were considered in detail in two documents published by my Department. Both documents — The Management of Sex Offenders (January, 2009) and Summary of views received on the Management of Sex Offenders (October, 2010) — are available on the Department's website at [www.justice.ie](http://www.justice.ie).

### **Gender Discrimination**

508. **Deputy Clare Daly** asked the Minister for Justice and Equality if, in relation to Ireland's national report in advance of the UN Universal Periodic Review, there is reference only to women's rights and gender equality and that discrimination against men who are fathers is not considered, despite certain cases at the Equality Tribunal (details supplied), which indicated such discrimination. [21955/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I should make the point at the outset that the Report is necessarily brief, as we were limited to a maximum of 10,700 words, or approximately 20 pages. The wide range of issues arising therefore are perforce covered in a concise style. The prohibition in our laws against discrimination on a range of grounds — including on gender, civil status and family status grounds — is referenced in a number of sections in the Report. It is important to make the point that men are protected by these three

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grounds (which are the specific grounds most relevant to the matters raised in the Deputy's question). As indicated in the case reports referred to by the Deputy, the existing body of legislation is sufficiently robust to deal with discrimination against either men and women on these grounds.

In relation to family law issues, I would draw the Deputy's attention to paragraphs 93 and 94 of the Report. The commitment contained therein is a specific response to issues raised by groups representing men in the public consultation process and in submissions.

### **National Lottery Funding**

509. **Deputy Paudie Coffey** asked the Minister for Justice and Equality the amount of national lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form. [21980/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can inform the Deputy that my Department did not receive any funding from the National Lottery during the years in question.

### **Small Claims Procedures**

510. **Deputy Brian Stanley** asked the Minister for Justice and Equality if there is provision for a service provider who has not been paid for a service to seek redress in the Small Claims Court; the measures of redress available to a small service provider where the amount sought is less than €1,000; and if he will make a statement on the matter. [22084/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I would draw the Deputy's attention to my responses on 29 June last to his Questions (No. 175 and No. 176) on this matter.

The small claims procedure of the District Court is an alternative method of dealing with a civil proceeding in respect of a small claim. The majority of claims are dealt with by administrative staff in the local District Court offices. Typical claims are:

- a claim in respect of goods or services purchased from somebody selling them in the course of a business
- minor damage to property (excluding personal injuries), and
- the non-return of a rent deposit for certain types of dwellings.

Since 5 January 2010 the procedure has been expanded to allow for business to business claims of the same nature. The current maximum value of cases that can be taken is €2,000. This limit was set in 2006 and was last reviewed in 2009 in advance of the expansion of the scheme to cater for business to business claims of the same nature which came into effect on 5 January 2010. I am informed that the review found that the existing limit was appropriate and should remain unchanged as an increase risked a negative impact on the level of service provided by Small Claims Registrars throughout the country. The procedure is labour intensive but provides a satisfactory service at present. In addition, new European Small Claims Procedures, provided for under Regulation (EC) No. 861/2007, were introduced in 2009. These procedures also provided for a maximum claim limit of €2,000.

I am not in a position to comment on any particular case but the Deputy will note the procedure does not cover claims in respect of debts, personal injuries or breaches of leases or higher purchase agreements. Generally such cases may be more effectively and speedily dealt with by way of civil bill. As the Deputy has previously been informed, the scope and operation of the procedure is being reviewed by my Department.

### Departmental Reports

511. **Deputy Anne Ferris** asked the Minister for Justice and Equality when the cash for gold report will be published; the actions that will be taken in view of same; and if he will make a statement on the matter. [22091/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** My Department is finalising a report on the “Cash for Gold” trade and as soon as the report is submitted to me I will make an assessment as to what, if any, further action, legislative or otherwise, may be required. The Deputy can be assured that following this assessment I will make the report’s findings and any proposals which I may have known in due course.

I can inform the Deputy that my Department, in compiling the report, has been in close contact with the Commissioner of An Garda Síochána with a view to monitoring the position. I can inform the Deputy that the Commissioner has reported that all “Cash for Gold” premises in the State have been visited by An Garda Síochána and the operators of such premises have been made aware of their responsibilities and obligations with regard to purchasing gold and jewellery. In addition, I have been informed that contact information has been provided to “Cash for Gold” operators by An Garda Síochána which will facilitate the reporting of any suspicious activity. The Commissioner has also indicated that any new “Cash for Gold” premises that may be identified will be visited by An Garda Síochána.

### Court Sittings

512. **Deputy Anne Ferris** asked the Minister for Justice and Equality if the court sitting terms will be changed to ensure that judges will sit for longer, due to the fact that there is a long break from the end of the Trinity term to the start of the Michaelmas term, in view of the fact that the sitting terms for the Judiciary in the near future have been set (details supplied); and if he will make a statement on the matter. [22092/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The management and administration of the courts, as the Deputy will be aware, is a matter for the Courts Service. The allocation of the business of the courts, scheduling of court cases and the management of court lists are matters for the judiciary and the Presidents of the courts. The sittings and vacations of the courts are currently provided for in Rules of Court. The Presidents of the respective courts can, and do so on occasion, schedule additional sittings to address particular issues.

I have already in the context of the Civil Law (Miscellaneous Provisions) Bill 2011 provided for a range of measures to make the courts more efficient. I intend to review other matters, including vacations and sittings, with a view to promoting further reform.

### Proposed Legislation

513. **Deputy Anne Ferris** asked the Minister for Justice and Equality when he expects the equality legislation pertaining to transgendered people to be extended in view of the fact that the Gender Recognition Advisory Group report has been published and the commitment in the programme for Government; and if he will make a statement on the matter. [22094/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** In its report to the Minister for Social Protection, published last week, the Gender Recognition Advisory Group concluded that the existing equality legislation and investigative machinery are adequate to discourage and prevent discrimination against persons who are making the transition from one gender to the other — both during and after the transition phase.

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As already announced, my colleague the Minister for Social Protection will be bringing forward legislation to provide for amendment of registrations of births for transgender people.

### **Travel Documentation**

514. **Deputy John McGuinness** asked the Minister for Justice and Equality if a temporary travel document will be issued to a person (details supplied) or an alternative travel document will be granted to them; and if he will make a statement on the matter. [22123/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Immigration and Naturalisation Service (INIS) that the person concerned applied for a temporary travel document on three occasions, twice in September 2009 and once in March 2010 and was refused on each occasion. He was advised to contact his own consular authorities to renew his passport or obtain an equivalent document. There is no current application from the person concerned.

I should point out that a temporary travel document is normally only granted in exceptional circumstances, for example, to go abroad for urgent medical treatment or other humanitarian reasons, and where the applicant is not in a position to obtain a passport or other equivalent document from his or her own authorities.

### **Courts Service**

515. **Deputy Anne Ferris** asked the Minister for Justice and Equality when a permanent Civil Court of Appeal, as provided for in the programme for Government, will be established; and if he will make a statement on the matter. [22146/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will appreciate that a Referendum will be necessary to establish a Court of Appeal. And while it is not one of the three Referendums proposed to be held later this year it is my intention to finalise examination of the detail and to progress the matter at the earliest suitable opportunity.

516. **Deputy Anne Ferris** asked the Minister for Justice and Equality when a Commercial Court will be established to facilitate speedy resolution of disputes at Circuit Court level, when moneys in dispute do not warrant High Court jurisdiction, as provided in the Programme for Government; and if he will make a statement on the matter. [22147/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** My Department has commenced consideration of the measures necessary to establish a Commercial Court at Circuit Court level in line with the commitment in the Programme for Government. This is a complex issue and detailed consideration will be necessary. It is, however, my intention to progress the matter as soon as possible.

### **Legal Services**

517. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will report on the regulation of the writing of wills here; his views on the training that solicitors receive in the writing of wills, in view of the recent report in the UK by the Legal Services Consumer Panel on the will-writing market which found that 25% of wills drawn up in the study had serious legal defects even when written by a solicitor; and if he will make a statement on the matter. [22160/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Under our law as it stands sections 77 and 78 of the Succession Act 1965 deal with the requirements for a valid will. A will need not be in any special form but it must comply with the provisions of those sections. There is no legal requirement for a will to be drawn up by a solicitor but in practice, given the importance of the matter, many persons making a will consult a solicitor.

While no representations have been made to my Department to suggest that operation of the law in this area is unsatisfactory my Department will, of course, continue to review its operation.

### **Anti-Social Behaviour**

518. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality the number of anti-social behaviour orders that have been issued under the Criminal Justice Act 2006 each year since 2007 and to date in 2011; the age profile of those that have been issued ASBOs; the type and level of offences; and if he will make a statement on the matter. [22161/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Part 11 of the Criminal Justice Act 2006, which provides for civil proceedings in relation to anti-social behaviour by adults, was commenced on 1 January, 2007. Part 13 of the Act, which relates to anti-social behaviour by children, was commenced on 1 March, 2007. These provisions set out an incremental procedure for addressing anti-social behaviour by adults and children. With regard to children, these range from a warning from a member of An Garda Síochána, to a good behaviour contract involving the child and his or her parents or guardian, to referral to the Garda Juvenile Diversion Programme and finally to the making of a behaviour order by the Children Court. With regard to adults, they include a warning and the making of a civil order by the court. These provisions relate to behaviour which is anti-social as defined in section 113 of the Act.

In setting up the regime in the Act, the intention was that the different interventions would address the problem behaviour. If they succeeded, there would be no need to apply to the courts for an order. It is only if they failed to lead to a behaviour adjustment by the person in question that a court order would be applied for.

I am informed by the Garda authorities that three court orders were issued to adults in 2008 and one in 2010 and three orders were issued to children in 2008.

I am awaiting a report from the Garda authorities in relation to the other information requested, and I will contact the Deputy again when the information is to hand.

519. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he will consider, in liaison with the Department of the Environment, Community and Local Government, new measures to target anti-social behaviour in privately owned and privately rented houses; and if he will make a statement on the matter. [22162/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Legislation currently in place relating to anti-social behaviour, including the Criminal Justice Act 2006, which provides *inter alia* for behaviour warnings and criminal proceedings in respect of anti-social behaviour, applies to private residences as well as public places and is utilised as necessary by An Garda Síochána.

Such legislation is kept under ongoing review by my Department.

I am informed that the Department of the Environment, Community and Local Government is considering the approach to anti-noise legislation in light of the Programme for Government, which includes a commitment to address noise pollution.

### Prison Sentencing

520. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality if he is carrying out a review of sentencing policy; his views on whether adequate sentences are being handed down for those found guilty of serious criminally violent activity; and if he will make a statement on the matter. [22163/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The traditional approach to sentencing is for the Oireachtas to lay down the maximum penalty and for a court having considered all the circumstances of the case to impose an appropriate penalty up to that maximum.

There are a small number of situations, however, where statute has created important exceptions to this approach. There is a strictly mandatory sentencing requirement for murder and other provisions relating to drug trafficking and firearms offences where a presumptive mandatory minimum sentence applies. Where the court is satisfied that there are exceptional and specific circumstances which would make a particular minimum sentence unjust, a different sentence can be applied. The type of circumstances which a court may consider would include whether and when the accused pleaded guilty and whether they assisted the investigation of the offence.

The Deputy will appreciate that judges are independent in the matter of sentencing as they are in other matters concerning the exercise of judicial functions, subject only to the Constitution and the law. It is important to make the point, when discussing sentencing, that the Director of Public Prosecutions may apply to the Court of Criminal Appeal to review a sentence he regards as unduly lenient.

The Deputy may be aware that my Department is currently engaged in a public consultation process to develop a White Paper on Crime with a view to developing a policy framework for future strategies to combat and prevent crime. Part of the consultation process focussed on criminal sanctions, during the course of which sentencing guidelines were discussed. There was no consensus on how such guidelines might operate without undermining judicial independence and flexibility. The prevailing view, with which I agree, is that judicial independence is crucially important and should be safeguarded. However, I should add that the Law Reform Commission has been asked to consider, and if appropriate, recommend reforms in the law in relation to mandatory sentencing. The Commission will consider the use of mandatory sentences for offences in general terms along with approaches based on “ranges of sentences”. I welcome the fact that the Commission intends to publish a consultation paper on this subject later this year.

### Recidivism Rates

521. **Deputy Thomas P. Broughan** asked the Minister for Justice and Equality his views on monitoring or collecting information at Departmental level on prisoner re-offending rates in view of the fact that the only information available on this matter in the State appears to be a 2006 study of prisoner re-offending rates of 19,955 prisoners that was carried out by the UCD Institute of Criminology; the number of employment placements for released prisoners through Business in the Community Ireland Gate Service, PACE or any other organisation in 2011 and 2012; and if he will make a statement on the matter. [22164/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that the Irish Prison Service facilitated a major study of prisoner re-offending by the UCD Institute of Criminology, the findings of which were published in the May 2008 edition of the academic journal, *Criminology & Criminal Justice*. The recidivism rate was found by this study to be under 50% after 4 years which is in the mid to lower range of recidivism rates when compared



to similar countries internationally. The study did not, however, explore the impact of time spent in open centres on recidivism rates.

The Irish Prison Service keeps records of periods in custody for every prisoner which allow calculation of re-imprisonment rates by type of offence, including sex offences. However, these do not allow calculation of a comprehensive rate of re-offending that includes non-custodial sentences. I am pleased to say however that the Probation Service is in the process of conducting initial research into re-convictions and much work is being done to collate the relevant data which will add to our knowledge in this area.

As regards employment placements for released prisoners, I can assure the Deputy that programmes such as those funded through the Business in the Community Ireland (BITC) Gate service and PACE will have my full support in maximising any opportunities available. While we have to make the best use of available resources, I am confident that every effort will continue to be made in the years ahead to facilitate opportunities for employment and of course to assist where possible the re-integration of prisoners into their communities.

### **Proposed Legislation**

522. **Deputy Anne Ferris** asked the Minister for Justice and Equality when civil partnership legislation will be amended to address the anomalies and omissions relating to children, as provided for in the programme for Government; and if he will make a statement on the matter. [22226/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The commitment referred to by the Deputy is being examined in the context of the development in my Department of proposals for the Family Law Bill that is referred to in the Government Legislation Programme announced on 5 April 2011. The details will be announced by way of publication of the proposals as soon as possible, taking into account necessary consultations.

### **Departmental Funding**

523. **Deputy Shane Ross** asked the Minister for Justice and Equality the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22268/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that the information requested is not readily available. Given the period of time concerned and amount of detail sought the information requested could only be compiled by the use of a disproportionate and inordinate amount of staff time and effort.

However, to be of assistance I can inform the Deputy that in the period since I took up office, that is from 9 March 2011 to date, one payment has been made by my Department to the Irish Business and Employers Confederation (IBEC). The Equality Authority made a grant in the amount of €15,000 for the Integrated Workplace Project, which was paid on 20 July, 2011.

I also wish to refer the Deputy to Parliamentary Question No. 389 of 17 May, 2011 and, in particular, the following extract from my reply.

While the National Disability Authority (NDA) was a member of IBEC, membership was terminated with effect from 2010. The following amounts were paid by the NDA to IBEC for the years 2007 — 2009:

January 2007 — €1,505.93

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January 2008 — €1,719.00

January 2009 — €1,642.60

### UN Conventions

524. **Deputy Robert Dowds** asked the Minister for Justice and Equality the expected timeline for the measures necessary to ensure full compliance with the criminal law provisions for the Optional Protocol to the UN Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography. [22347/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Legislative proposals to enhance the protection of children against sexual abuse and exploitation, including exploitation through prostitution and child pornography, are at an advanced stage of preparation in my Department. These measures will facilitate full compliance with the criminal law provisions of a number of international legal instruments, including outstanding requirements in the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

I expect to bring these legislative proposals to Government in the coming months.

### Human Trafficking

525. **Deputy Robert Dowds** asked the Minister for Justice and Equality when the National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland 2009 to 2012 will be reviewed; and if he will make a statement on the matter. [22348/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The National Action Plan to Prevent and Combat Trafficking in Human Beings in Ireland 2009 to 2012 was published in June 2009. The Plan contains a commitment to a mid term review involving a consultation process with relevant stakeholders. This process is underway in my Department. Submissions were received from a number of non-governmental organisations in May, June and July. Consultations with State agencies will now take place on foot of the issues raised in these submissions.

The Plan will then be updated in the light of that consultation and to take account of changing circumstances and our growing experience in this area. It is hoped to complete the review in the coming months.

### Prisoner Numbers

526. **Deputy Jack Wall** asked the Minister for Justice and Equality the number of persons in prison here as of 1 July 2011. [22351/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I have been informed by the Irish Prison Service that the number of persons in custody on 1 July 2011 was 4,402.

527. **Deputy Jack Wall** asked the Minister for Justice and Equality the number of persons in prison here as of 1 July 2011 on a conviction recorded in a summary trial — that is, a no-jury, judge-only trial. [22352/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** It may be helpful to explain that the only court that would record a conviction in a summary trial is the District Court, where

there is no jury. The Special Criminal Court operates without a jury but its jurisdiction is not restricted to summary offences.

Unfortunately, it is not feasible to identify the exact number of persons in prison on a specific date on a conviction recorded in a summary trial. However, from the information available, I can say that on 30 June 2011, there were 568 sentenced persons in prison with a sentence of 12 months or less and 3,167 sentenced persons with a sentence of more than 12 months. The majority of those persons who received a sentence of less than 12 months will have been convicted in the District Court (although a proportion of those receiving a sentence of less than 12 months will have been convicted in a jury trial in the Circuit Court). It is unlikely that anyone serving a sentence of more than 12 months will have been convicted in a summary trial.

I can further inform the Deputy that the number of defendants who received a sentence of imprisonment/detention in the District Court in 2010 is 12,979. The number of offences was 20,435 and this figure includes summary offences and indictable offences dealt with summarily.

### **Criminal Convictions**

528. **Deputy Jack Wall** asked the Minister for Justice and Equality the number of criminal convictions that were recorded for the year 2010, or the last year for which figures are available, or the last 12-month period for which the figures are available. [22353/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Following the submission in 2004 of a report and recommendations by an expert group on crime statistics, it was decided that the compilation and publication of crime statistics should be taken over by the Central Statistics Office, as the national statistical agency, from An Garda Síochána. The Garda Síochána Act 2005 consequently makes provision for this and the CSO has established a dedicated unit for this purpose. Following the setting up of the necessary technical systems and auditing of the data from which the statistics are compiled, the CSO is now compiling, publishing and responding to queries regarding recorded crime statistics.

I have requested the CSO to provide statistics directly to the Deputy.

529. **Deputy Jack Wall** asked the Minister for Justice and Equality, of the criminal convictions recorded of those were recorded on a summary trial — that is, a judge-only, no-jury trial. [22354/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The management and administration of the courts including responsibility for maintaining court statistics is a matter for the Courts Service.

However, I have had enquiries made and the Service has informed me that 498, 672 criminal offences were disposed of in the District Court in 2010. Of those, 70,200 were indictable offences that were dealt with summarily.

The outcomes in relation to the cases are available in the Courts Service Annual Report 2010 at [www.courts.ie](http://www.courts.ie). The Courts Service has informed me that the various outcomes recorded do not differentiate between summary cases and indictable cases dealt with summarily.

### **Garda Stations**

530. **Deputy Brendan Smith** asked the Minister for Justice and Equality the position in relation to the provision of a new Garda district headquarters at Bailieboro, County Cavan; and if he will make a statement on the matter. [22361/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The programme of replacement and refurbishment of Garda accommodation around the country is progressed by the Garda authorities working in close co-operation with the Office of Public Works (OPW), who have responsibility for the provision and maintenance of Garda accommodation.

I am informed by the Garda authorities that the OPW is currently examining options for the provision of a new Garda District Headquarters at Bailieboro. This matter will be progressed in the context of An Garda Síochána's identified accommodation priorities and in the light of available resources.

### **Asylum Support Services**

531. **Deputy Joe Costello** asked the Minister for Justice and Equality the support, monetary or otherwise, given to asylum seekers when they are deported from Ireland back to their country of origin; and if he will make a statement on the matter. [22364/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The extent to which my Department provides supports to failed asylum seekers or other illegal immigrants returning to their country of origin depends largely on whether or not such persons are willing to leave the State voluntarily.

Where a failed asylum seeker or illegal immigrant decides to return voluntarily to their country of origin before a Deportation Order is made in respect of them, reintegration assistance may be provided by my Department. The Irish Voluntary Assisted Voluntary Return and Reintegration Programme (VARRP), run in conjunction with the International Organisation of Migration (IOM), has been established to provide assistance to failed asylum seekers and irregular migrants wishing to return voluntarily and who have been identified as vulnerable. Under the VARRP scheme, which is funded by my Department, the IOM will pay for the flights home for such persons and where required will assist in securing travel documents and give assistance at the airport at departure and arrival.

Persons planning to return voluntarily under this programme can apply for reintegration assistance before they depart which they can then access once they have returned to their home country. Irish reintegration assistance is in the form of a payment in kind, for example help starting up a small business, or to revive an existing one, vocational training classes or educational courses. The value of this reintegration assistance for single individuals is up to €600 and for families up to €1000.

Where a failed asylum seeker or illegal immigrant consents to deportation to their country of origin, flight arrangements are made on their behalf and are paid for by my Department. If they are not in possession of a valid passport and are unable to obtain same (for example, due to their country not having an Embassy in Ireland), the Department will then issue a travel document. If the person is residing outside the Dublin area my Department will, if necessary, arrange accommodation to facilitate easy access to the airport, and provide travel vouchers for their journey to Dublin.

Where a failed asylum seeker or illegal immigrant does not leave the State voluntarily or consent to their deportation, they are removed to their country of origin by the Garda National Immigration Bureau. No further support, other than that which is necessary to effect the deportation, is given to such persons.

### **Citizenship Applications**

532. **Deputy Jack Wall** asked the Minister for Justice and Equality the position regarding an

application for naturalisation in respect of persons (details supplied) in County Kildare; and if he will make a statement on the matter. [22374/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Valid applications for a certificate of naturalisation from the persons referred to by the Deputy were received in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) in August 2007 and my predecessor decided in his absolute discretion to refuse the applications. The persons concerned were informed of the Minister's in a letter issued on 15th October, 2009.

It is open to the persons concerned to lodge a new application for a certificate of naturalisation if and when they are in a position to meet the statutory requirements applicable at that time.

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 e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Garda Deployment**

533. **Deputy John Lyons** asked the Minister for Justice and Equality the measures that have been taken to date, including staffing reallocations, to ensure that administrative duties are carried out by civilian staff to free up highly trained gardaí for preventing and detecting crime; and if he will make a statement on the matter. [22398/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** There are currently around 2,100 full-time-equivalent civilian support staff in the Garda Síochána.

These staff provide vital support services in a wide range of areas, such as human resources, training & development, IT and telecommunications, finance and procurement, internal audit, research and analysis, accommodation and fleet management, scene-of-crime support and medical services.

Every opportunity will be taken, in line with the commitment in the Programme for Government, to enhance the level of civilian support within the Garda Síochána, including through redeployment under the Croke Park Agreement.

534. **Deputy John Lyons** asked the Minister for Justice and Equality the measures that have been taken to place an extra emphasis on community policing and to ensure that there is a higher visibility in the local neighbourhoods most affected by crime and anti-social behaviour; and if he will make a statement on the matter. [22399/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Garda Síochána now operates a new model of Community Policing which aims to build upon and enhance progress made so far. I fully support this renewed emphasis on Community Policing particularly in light of the priority given to this by the Programme for Government.

535. **Deputy John Lyons** asked the Minister for Justice and Equality the measures taken to free up gardaí who are detained in the courts; if he plans to review current prosecution and

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judicial case management systems for this purpose; and if he will make a statement on the matter. [22401/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will appreciate that a significant amount of Garda time has to be devoted to court duties. In that context specific measures have been put in place by the Garda authorities, and in legislation, to minimise the extent to which Garda members have to attend in court. This is, of course, subject to the overall requirements of justice and judicial supervision.

My position, and that of the Government, is that it is vital that Garda and other public service resources are utilised as effectively as possible. With this in mind, I have initiated a review of the criminal justice system to identify any structural changes that might be required to achieve cost savings. The review, which is being conducted in conjunction with key stakeholders, encompasses the participation of Garda members in court proceedings and I expect that it will be completed by October. I will bring forward any proposals I may have arising from the review as quickly as possible.

536. **Deputy John Lyons** asked the Minister for Justice and Equality if he is able to provide, by station, the number of cases each juvenile liaison officer is case managing; if he has any plans to evaluate and extend this scheme; and if he will make a statement on the matter. [22402/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Information on the work of Garda Juvenile Liaison Officers (JLOs) is published annually in the Report of the Committee appointed to monitor the effectiveness of the Diversion Programme, in accordance with Section 44 of the Children Act 2001, as amended. The last published report, for 2009, is available on the website of the Irish Youth Justice Service ([www.iyjs.ie](http://www.iyjs.ie)) and on the Garda website ([www.garda.ie](http://www.garda.ie)).

Information is published by Garda Division and includes the number of incidents and the number of children referred to the Diversion Programme, along with the deployment of JLOs across the Divisions. Using this information, it is possible to work out an approximate caseload per JLO. However, such an exercise would appear to be of no added value unless account is taken of the complexity of the individual cases. It is also the case that any more detailed analysis would, at this stage, involve a disproportionate use of Garda time and other resources. I understand that the report for 2010 is nearing completion and I will publish it as soon as possible after I receive it.

With regard to Government's plans to extend the role of JLOs, I wish to refer the Deputy to my reply to Parliamentary Question No. 151 of 13 July 2011.

### **Whistleblower Protection**

537. **Deputy Finian McGrath** asked the Minister for Justice and Equality his views on a matter (details supplied) regarding whistleblowers. [22414/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** On the basis of the details supplied by the Deputy, I am not in a position to reply to the question. If the Deputy provides further information, I will be happy to respond to him.

### **Residency Permits**

538. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if and when residency status will be decided in the case of a person (details supplied) in County Kildare; if

the family's position will be regularised; and if he will make a statement on the matter. [22416/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Long Term Residency section of my Department that the person named by the Deputy in the details accompanying his Question was granted Long Term Residency on 10 March 2011 for a period of 5 years. This particular permission to remain does not extend to the person's dependants.

Records in my Department indicate that the second and third reference numbers referred to in the details accompanying the Deputy's Question, relate to the named person's adult son and daughter.

The named person's son contacted my officials through a solicitor in relation to his residence in the State and was instructed to contact his local immigration office to register with An Garda Síochána and obtain permission to remain in the State. There is no record of him having done so to date. This is in breach of the Immigration Act 2004 and various orders made thereunder. The named person's son has failed to register in the State since 22 November 2010 and consequently is illegally present here. He should immediately contact INIS in relation to his residence in the State. The named person's daughter has permission to remain in the State on student conditions until 1 April 2012.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made direct to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

539. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the residency status and entitlement to same in the case of a person (details supplied) in County Meath; and if he will make a statement on the matter. [22417/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned was granted permission to remain in the State for an initial 2 year period on Stamp 4 conditions from 4 October, 2005 under the revised arrangements for the non-EEA national parents of children born in Ireland prior to 1 January, 2005, commonly known as the IBC/05 Scheme. I am informed that the permission to remain granted was renewed in 2008 and in 2010, and is currently valid until 20 February, 2014.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail 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.

### **Asylum Applications**

540. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if he will review the residency file in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [22418/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned is the subject of a Deportation Order, signed on 5 May 2005, following a comprehensive and thorough examination of her asylum claim. Her case was reviewed in June 2008 and again in November of 2009. A detailed examination of the representations she submitted for consideration under

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Section 3 of the Immigration Act 1999 (as amended) was conducted and on both occasions a decision was made to affirm the Deportation Order.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State.

The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### Residency Permits

541. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the residency status and entitlements in the case of a person (details supplied) in County Louth; and if he will make a statement on the matter. [22419/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my detailed Reply to his recent Parliamentary Question, No. 112 of Thursday, 19th May, 2011, in this matter. The position in the State of the person concerned is as set out in that reply.

It is noted that the address supplied in the Deputy's Question does not match the address currently on record in my Department for the person concerned. As it is incumbent on an applicant to notify my Department when they change address, the person concerned should notify my Department of their up to date address without 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 e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

542. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the position regarding the residency status in the case of a person (details supplied) in Dublin 7; if their documentation will be returned; and if he will make a statement on the matter. [22420/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The name of the person referred to by the Deputy does not match the name of any person on my Department's databases. As it is not possible to establish definitively the person to whom the Deputy is referring, I cannot provide the information sought at this time. However, if the Deputy wishes to clarify the identity of the person concerned, a substantive response will be provided.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### Asylum Applications

543. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality when consider-



ation of residency application will be concluded in the case of a person (details supplied) in County Cork. [22421/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I refer the Deputy to my detailed Reply to his recent Parliamentary Question, No. 140 of Wednesday, 20th April, 2011, in this matter. The position in the State of the person concerned is as set out in that Reply.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### Deportation Orders

544. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality if deportation will be deferred in the case of a person (details supplied) in Dublin 2; and if he will make a statement on the matter. [22422/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** 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) a Deportation Order was signed in respect of this person on 26 August 2004. Following further consideration of his case, in particular of the issue raised by the Deputy, a decision was made to affirm the Deportation Order on 9 March, 2011.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the Garda National Immigration Bureau.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### Asylum Applications

545. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the extent to which an application for asylum or refugee status was fully examined in the case of a person (details supplied) in County Galway; if due regard was given to her legitimate fear of being deported to the Democratic Republic of Congo; if her case will be deferred pending review; and if he will make a statement on the matter. [22423/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned arrived in the State on 30 January 2008 and applied for asylum on the same date. Her application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, by the Refugee Appeals Tribunal.

Subsequently, in accordance with Section 3 of the Immigration Act 1999 (as amended), the person concerned was informed, by letter dated 9 July 2009, that the Minister proposed to make a Deportation Order in respect of her. She 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 she should be allowed to remain temporarily in the State.

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An application for Subsidiary Protection under the European Communities (Eligibility for Protection) Regulations, 2006 S.I. No 518 of 2006 ('the Regulations') in respect of this person was also examined, however it was determined that she is not a person eligible for Subsidiary Protection. Her case was then examined under 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. Consideration was given to representations submitted on her behalf in relation to why a Deportation Order should not be made against her. All representations made on her behalf were fully considered. On 7 February 2011 a Deportation Order in respect of her.

The effect of the Deportation Order is that the person concerned must leave the State and remain thereafter out of the State. The enforcement of the Deportation Order is an operational matter for the GNIB.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

### **Prison Building Programme**

546. **Deputy Michael McGrath** asked the Minister for Justice and Equality the position regarding the planned development of the new prison at Thornton Hall, County Dublin; and if he will make a statement on the matter. [22451/11]

553. **Deputy Joe Costello** asked the Minister for Justice and Equality if he will publish the report on the Thornton Hall prison project, County Dublin; and if he will make a statement on the matter. [22531/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 546 and 553 together.

I have just recently received the report of the Thornton Hall Review Group. Subject to the views of my Cabinet colleagues, it is my intention to publish this report at the earliest opportunity.

### **Garda Operations**

547. **Deputy Dara Calleary** asked the Minister for Justice and Equality if he has engaged in discussions with the Garda authorities, with any of the Garda representative associations or with any other body, agency or individual regarding strengthening the legal protection surrounding gardaí carrying out their duties. [22478/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Section 19 of the Criminal Justice (Public Order) Act 1994 as amended by Section 185 of the Criminal Justice Act of 2006 already provides that any person who assaults or threatens to assault a peace officer acting in the execution of his or her duty, knowing that he or she is, or being reckless as to whether he or she is, a peace officer so acting, shall be guilty of an offence. In this context, "Peace Officer" includes a member of An Garda Síochána as well as other emergency workers. Persons found guilty of offences under that act are liable on summary conviction to a Class A fine (not exceeding €5,000) and/or a term of imprisonment not exceeding 12 months, or both. The penalty on conviction on indictment is a fine determined by the Court or a term of imprisonment not exceeding 7 years, or both.

The situation will be kept under review. I will listen carefully to any suggestions for further change and I will have no hesitation in bringing forward proposals for additional sanctions if the need arises.

### **Proposed Legislation**

548. **Deputy Dara Calleary** asked the Minister for Justice and Equality the position regarding the proposed referendum on judicial remuneration; and when he will publish a referendum bill. [22479/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** Plans for the holding of a Referendum on the pay of judges are well advanced. The Referendum will, it is intended, be held in conjunction with the Presidential Election. Following Government approval of the text of the necessary Amendment of the Constitution Bill it will be published on a date that is consistent with the requirements of the Referendum Act 1994 in relation to an order specifying the polling day.

### **Departmental Equipment**

549. **Deputy Dara Calleary** asked the Minister for Justice and Equality the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22493/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** My Department's IT Division provides a centralised IT Shared Service to approximately 2,100 direct customers in 23 agencies in 27 national and international locations using 220 servers. The capacity of individual servers varies widely depending on the role and function of that server. In general the servers behind the Shared Service would have a cumulative capacity of between 30 and 60 terabytes depending on configuration and deployment.

In addition to the IT Shared Service two areas of my Department maintain a separate IT infrastructure. Financial Shared Services in Killarney — which obtains its own desktop services from the Shared Service — operates a payroll and payments system using 32 servers with a capacity of 16 terabytes. The Irish Prison Service has 175 servers with a cumulative capacity of 21 terabytes.

My Department does not lease any IT equipment.

The provision of IT services for the offices and agencies of my Department currently not availing of the IT Shared Service is a matter for management in those offices and agencies.

### **Appointments to State Boards**

550. **Deputy Anne Ferris** asked the Minister for Justice and Equality the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22499/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Programme for Government 2011-2016 includes a commitment to ensure that all State Boards have at least 40 per cent of each gender. Composite data on women's participation on State Boards during 2010 will be made available to the Government shortly and are expected to show that about 34% of places on State Boards were held by women in 2010.

My colleague, Ms Kathleen Lynch T.D., Minister of State with responsibility for Disability, Equality, Mental Health and Older People is currently chairing a working group which is

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looking at the advancement of women into leadership and decision-making roles including on State and Corporate Boards. The report of that group will be available in the autumn and I will consider its findings before making proposals to Government in this matter.

### Proposed Legislation

551. **Deputy Pat Deering** asked the Minister for Justice and Equality if he plans to include provision for recognition for pre-nuptial agreements in any future family law Bills; and if he will make a statement on the matter. [22507/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** No decision has yet been made with regard to the recommendations contained in the Report of the Study Group on Pre-nuptial Agreements.

### Asylum Applications

552. **Deputy Robert Dowds** asked the Minister for Justice and Equality the position regarding an application for refugee status in respect of a person (details supplied) in Dublin 22; when they can expect a response to the letter from their solicitor; and if he will make a statement on the matter. [22526/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** The person concerned applied for asylum on 23rd October, 2006. In accordance with Section 9 of the Refugee Act 1996 (as amended), the person concerned was entitled to remain in the State until her application for asylum was decided. Her asylum application was refused following consideration of her case by the Office of the Refugee Applications Commissioner and, on appeal, the Refugee Appeals Tribunal.

Arising from the refusal of her 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 11th September, 2008, that the Minister proposed to make a Deportation Order in respect of her. She 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 her. In addition, she was notified of her entitlement to apply for Subsidiary Protection in accordance with the provisions of the European Communities (Eligibility for Protection) Regulations 2006.

The person concerned submitted an application for Subsidiary Protection. When consideration of this application has been completed, the person concerned will be notified in writing of the outcome.

In the event that the application for Subsidiary Protection is refused, the position in the State of the person concerned will then be decided by reference to the provisions of Section 3(6) of the Immigration Act 1999 (as amended) and Section 5 of the Refugee Act 1996 (as amended) on the prohibition of refoulement. All representations submitted will be considered before the file is passed to me for decision. Once a decision has been made, this decision and the consequences of the decision will be conveyed in writing to the person concerned.

In his Question the Deputy refers to a letter submitted by the solicitor of the person concerned. It is being assumed that the letter in question is the one submitted by the relevant solicitor dated 5th April, 2011. I can assure the Deputy that the contents of that correspondence will be considered, along with all other papers on file, before a final decision is taken in this case.

I should remind the Deputy that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. The service enables up-to-date information on such cases to be obtained without the need to seek this information through the more administratively expensive Parliamentary Questions process.

*Question No. 553 answered with Question No. 546.*

554. **Deputy Joe Costello** asked the Minister for Justice and Equality the number of applicants for asylum whose applications have not been finalised after five years and ten years since their initial application; and if he will make a statement on the matter. [22532/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy is aware, applications for refugee status in the State are determined by an independent process comprising the Office of the Refugee Applications Commissioner (ORAC) and the Refugee Appeals Tribunal (RAT) which make recommendations to the Minister for Justice and Equality on whether such status should be granted.

There is currently one case awaiting investigation and decision by the ORAC for over five years owing to the inability of the applicant for medical reasons to participate in the processing of the asylum claim.

Of the 141 cases currently in the RAT which have been in the asylum process for over five years, 138(98%) of these have been delayed owing to Judicial Review proceedings having been taken by the applicants themselves.

In the year to May 2011 the median processing time for an asylum application was 11 months.

There are no cases awaiting decision in ORAC or RAT in excess of ten years.

#### **Probation and Welfare Service**

555. **Deputy Patrick O'Donovan** asked the Minister for Justice and Equality if the Probation Service will increase the number of hours' service being carried out at a cemetery (details supplied) in County Limerick. [22537/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can advise the Deputy that the allocation of community service hours in any particular area is dependent on the number of community service orders made in the local court.

While the Probation Service welcomes the opportunity to contribute to the maintenance of the cemetery referred to, I understand that there has been a reduction in the number of orders being made in that part of Co. Limerick with a corresponding reduction therefore in the number of days working at the site. The Deputy can be assured however that the Probation Service will review the matter again should there be an increase in the orders made.

#### **Departmental Bodies**

556. **Deputy Joe McHugh** asked the Minister for Justice and Equality the number of quangos, agencies and authorities that were established by his Department in each of the years from 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22585/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to refer the Deputy to the detailed answer to Parliamentary Questions Nos. 471 & 472 of 2 October, 2007 which provides,

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inter alia, the establishment dates of various agencies and bodies under the remit of my Department. Since then no new statutory or independent bodies or offices were established in my Department.

I can also inform the Deputy that on 31 January, 2011 there were 2,151 staff serving in the Department and agencies staffed by it. I also wish to inform the Deputy that the information sought for staff serving in the Department in 1997 is not readily available and could not be compiled without disproportionate use of staff resources.

### **Consultancy Contracts**

557. **Deputy Joe McHugh** asked the Minister for Justice and Equality the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22602/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that the information requested is not readily available. Given the period of time concerned and amount of detail sought the information requested could only be compiled by the use of a disproportionate and inordinate amount of staff time and effort.

### **Departmental Expenditure**

558. **Deputy Shane Ross** asked the Minister for Justice and Equality the amount of State funding, directly or indirectly, that has been paid to fund trade unions, related bodies or trade union interests or causes in the past decade; and if he will make a statement on the matter. [22621/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to inform the Deputy that this information is not readily available and that given the significant level of detail required and the timeframe involved, the collation of such information would require a disproportionate use of available resources.

However I can inform the Deputy that in the period since I took up office, from 9 March 2011 to date, the following payments have been made to trade unions:

#### *The Equality Authority*

1. €2,000 — this was paid to the Irish Congress of Trade Unions (ICTU) for an equality training project. The project entitled the “Congress Equality Mainstreaming” was funded under the Equality Mainstreaming Approach Programme.

2. €1,275 — this was paid to ICTU for exhibition space at the 2009 ICTU Biannual Delegates Conference.

3. €200 - this was paid to the Association of Secondary Teachers in Ireland (ASTI) for a stand at the 2011 ASTI annual conference.

#### *An Garda Síochána*

1. €18,707 -this was paid to the Association of Garda Sergeants and Inspectors for rent and service charges.

2. €58,000 -this was paid to the Association of Chief Superintendents as an annual subvention.

### Road Traffic Offences

559. **Deputy Joe McHugh** asked the Minister for Justice and Equality the number of motor vehicles caught breaking speed limits since 2009 in tabular format on a county basis; and if he will make a statement on the matter. [22641/11]

**Minister for Justice and Equality (Deputy Alan Shatter):** In the time available it has not been possible for the Garda authorities to supply the information requested by the Deputy. I will contact the Deputy when the information is to hand.

### National Lottery Funding

560. **Deputy Paudie Coffey** asked the Minister for Defence the amount of national lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form. [21973/11]

**Minister for Defence (Deputy Alan Shatter):** Coiste an Asgard, which is a body under the aegis of my Department, received €800,000 in National Lottery funding in 2009. The previous Government decided in the context of settling the Estimates for the Department of Defence for 2010 that the national sail training scheme operated by Coiste an Asgard would be discontinued as recommended in the Report of the Special Group on Public Service Numbers and Expenditure, and therefore no National Lottery funding was awarded to Coiste an Asgard in 2010.

### Departmental Expenditure

561. **Deputy Shane Ross** asked the Minister for Defence the sum of any public funds, and their purpose, which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22261/11]

**Minister for Defence (Deputy Alan Shatter):** The information requested by the Deputy on the amounts of public funds and their purpose which have been awarded, either directly or indirectly to the Irish Business and Employers Confederation in the past decade is set out below:

Year	AMT	Description of Payments made
2001	€438.06	Training Course
2002	€1,721.58	Management Training Course
2003	€1,500.50	HR Management Guide, Conference & Training Course
2004	€42,260.00	Training Courses
2005	Nil	
2006	Nil	
2007	Nil	
2008	€1,149.50	Magazine Subscriptions
2009	€577.13	Magazine Subscriptions
2010	Nil	
2011	Nil	
Total	€47,646.77	

### Civil Defence Operations

562. **Deputy Dara Calleary** asked the Minister for Defence the proposed changes to the Civil Defence Act 2002; the proposed changes to the operations of the Civil Defence; the impact of these changes of Civil Defence operations nationwide; and if he will make a statement on the matter. [22480/11]

**Minister for Defence (Deputy Alan Shatter):** The Government has approved a proposal to begin drafting legislation to transfer the functions of the Civil Defence Board back into the Department of Defence. This decision is in line with Government policy to bring the functions of many state agencies back into their parent Department. The proposed Bill will, if enacted, repeal the Civil Defence Act, 2002, dissolve the Civil Defence Board and transfer its functions, property, rights, liabilities and other responsibilities to the Department of Defence. Such changes will not have any impact on Civil Defence operations nationally.

### Departmental Equipment

563. **Deputy Dara Calleary** asked the Minister for Defence the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22486/11]

**Minister for Defence (Deputy Alan Shatter):** The number and capacity of computer servers in my Department and the Defence Forces is spread over a number of mainstream applications, including Local and Wide Area Networks, business, administrative and financial systems, web hosting, mission-critical support systems and a wide range of local and specialist applications. The capacity varies according to need. There is also a wide geographical spread, given the nature and scope of the Defence organisation. The following is a summary of the position:

Department of Defence, including integrated civil/military modules:

A total of 97 Servers; the storage capacity varies from 20GB(gigabyte) to 3.6TB (terabyte; 1 TB=1000GB) per server. There are two servers leased by the Department, both of which have a capacity of 50GB.

Defence Forces — military only applications

A total of 164 servers. The storage capacity varies from 33.8GB to 750GB per server. There is one (1) server leased by the Defence Forces with a capacity of 4GB.

Ombudsman for the Defence Forces

A total of 2 servers each of which has a capacity of 150GB.

### Defence Forces Reserve

564. **Deputy David Stanton** asked the Minister for Defence the expenditure on the Reserve Defence Force, RDF, in 2010; the expenditure on RDF cadre pay and employers' PRSI (subhead B) costs for 2010; and if he will make a statement on the matter. [22515/11]

**Minister for Defence (Deputy Alan Shatter):** The cost of the Reserve Defence Force, similar to other elements of the Defence Forces, is spread across a range of subheads. Subhead D of the Defence Vote is entirely devoted to Reserve expenditure. It includes payments for Reserve Defence Force (RDF), training, gratuities, and allowances and also includes grants paid into unit funds. Subheads B, C and P include, inter alia, pay and travel costs of Permanent Defence Force Personnel who provide training and administrative support to the RDF (known as the Cadre). Subhead R contains costs for rental of property used by the RDF.



A range of costs, other than those outlined above, are spread across other subheads of the Defence Vote. These costs, which include Petrol, Transport, Rations etc, are not currently disaggregated for the RDF.

The following table shows the key costs relating to the RDF for 2010.

Subhead	2010 €
B — PDF Cadre Pay and Employers PRSI	16,594,000*
C — Allowances paid to PDF Cadre	1,304,247
D — Reserve Defence Force Pay, allowances etc.	4,014,369.
P — Car Allowance and Car Mileage paid to PDF Cadre	376,645
R — Rent of RDF Property	157,835

\*Estimated

### Departmental Expenditure

565. **Deputy Olivia Mitchell** asked the Minister for Defence if, in view of the change of names of Departments, the Department has procured a new logo, new signage and any other branding such as stationery; if so, the cost of same; and if he will make a statement on the matter. [22555/11]

**Minister for Defence (Deputy Alan Shatter):** The name of the Department of Defence has not changed. It has not been necessary, therefore, to procure a new logo, new signage or other branding such as stationery.

### Departmental Bodies

566. **Deputy Joe McHugh** asked the Minister for Defence the number of quangos, agencies and authorities that were established by his Department in each of the years from 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22578/11]

**Minister for Defence (Deputy Alan Shatter):** The number of new agencies established in my Department since 1997 is one. The Civil Defence Board was established on 7 May 2003 following the enactment of the Civil Defence Act 2002. Prior to that date, Civil Defence had been a branch of the Department, and the relevant staff transferred to the Civil Defence Board following its establishment. The Deputy will be aware that the Government has approved a proposal to begin drafting legislation to transfer the functions of the Civil Defence Board back into the Department of Defence. This decision is in line with Government policy to bring the functions of many State agencies back into their parent Department. The proposed Bill will, if enacted, repeal the Civil Defence Act, 2002, dissolve the Civil Defence Board and transfer its functions, property, rights, liabilities and other responsibilities to the Department of Defence. The information requested by the Deputy on staffing levels in my Department, including Civil Defence, is as follows:

Year	Number of Staff Employed (Wholetime Equivalent)
As at 31 December 1997	426
As at January 2011	348.95

### Consultancy Contracts

567. **Deputy Joe McHugh** asked the Minister for Defence the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22595/11]

**Minister for Defence (Deputy Alan Shatter):** The information requested on the number of consultancy reports commissioned by the Department of Defence between 1997 and January 2011, the cost of commissioning each report and on the implementation of recommendations set out in each report; is set out below.

Year	Company	Nature of Report and Implementation	Cost
1998	Ernst & Young	Analysis and design of a Fishery Control System to enable the Naval Service to meet its obligations under new fishery regulations. The study formed the basis for the Naval Service Fishery Control System	€608,839
2001	Intercontinental Aviation Consultants	Air Operations Safety Audit of the Air Corp. Recommendations were implemented.	€55,442
2002	External Advisory Committee	The “Challenge of a Workplace” report prepared by Dr. Eileen Doyle and the External Advisory Committee. Implementation of the recommendations arising from the report was driven by the “Independent Monitoring Group” set up in the same year.	€63,000
2004	Independent Monitoring Group	Progress report entitled “Response to the Challenge of a Workplace” was presented. This charted the progress made with implementation of the “Doyle Report.	€161,259
2006	Millward Brown, IMS	Public Attitude Survey. The purpose of the survey was to carry out a market research programme into public attitudes and awareness of emergency planning in Ireland	€30,912
	Grayling Communications Consultants	Communications Strategy on the approach to be taken by Government in its public information and awareness campaign on Emergency Planning. The campaign was subsequently launched in April 2008	€14,520
2007	TNS MRBI	Research into the issue of Recruitment and Retention of Women in the Defence Forces. The result of this market research has assisted in the formulation of policy and practice in this area.	€47,747
	Independent Group	Value for Money Review of Clothing Procurement in the Defence Forces, as part of the standard VFM process.	€2,904
2008	PA Consultant Group	Recommendations on the best means of meeting the medical requirements of the Defence Forces. Implementation of the recommendations is ongoing	€115,130
	Entograph Ltd	Report for the control of bracken in the Glen of Imaal. The report has been implemented	€30,129
	Mott McDonald Ltd	A review of the Safety Policy at Casement Aerodrome in Baldonnel. The recommendations have been implemented.	€50,000
	FGS Consulting	A Value for Money Review of Military Training	€89,540

Year	Company	Nature of Report and Implementation	Cost	
2009	Deloitte & Touche	Lands, as agreed between the Department of Defence and the Department of Finance as part of the Government's Value for Money and Policy Review initiative. The report was published in November 2010 and implementation of the findings of the review is ongoing	€97,868	
	Version 1 Ltd	A review of the Finance Branch of the Department. The review is now being implemented and is delivering staff savings and improvements in efficiency and effectiveness.		
	McGuinness Killen Partnership Ltd	A report in respect of Oracle licence management in the Department of Defence and the Defence Forces. The results of this report will assist in the formulation of policy and practice in the area of licence management.		€2,308
	Independent Group	An independent review of documentation in relation to a legal action initiated by a staff member. No implementation measures were required on foot of the report.		€2,430
2010	Epsilon Consulting	An independent quality assessment of the Value for Money Review of Naval Service Vessel Maintenance, as part of the standard VFM process.	€2,800	
		An independent quality assessment of the Value for Money Review of Military Training Lands as part of the standard VFM process.	€2,178	

### Departmental Bodies

568. **Deputy Mary Lou McDonald** asked the Minister for Defence the money saved were all State agency board member payments in his Department to be reduced by €10,000 where their current annual payment is in excess of €50,000. [22742/11]

**Minister for Defence (Deputy Alan Shatter):** The boards under the aegis of my Department are the Civil Defence Board, the Army Pensions Board and the Board of Coiste an Asgard. As there are no payments made to the members of these boards, the question does not arise.

### EU Directives

569. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Fisheries and Food his views on a matter regarding farmers and lands (details supplied); and if he will make a statement on the matter. [22274/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** This matter has its origins in the Environmental Impact Assessment (EIA) Directive which was first introduced in 1985 and is presently implemented in Irish legislation by the Planning and Development Regulations, 2001.

The primary objective of the EIA Directive is to ensure that projects which are likely to have effects on the environment are subject to a prior assessment of their potential impacts before a decision is taken as to whether consent is granted to proceed.

The European Court of Justice (ECJ) issued a judgement against Ireland on the 20th November 2008. The Court found that Ireland, in relation to the specific projects the subject of the judgment, was overly reliant on size thresholds to determine if an EIA is required and did not take sufficient account of the nature, location and cumulative effect, etc. of projects. The action related to three categories of activities, restructuring of rural land holdings (removing hedgerows or re-contouring land), the use of uncultivated land or semi-natural areas for inten-

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sive agriculture and water management projects for agriculture, including irrigation and land drainage.

There has been extensive consultation between my Department and the Department of Environment, Community and Local Government in the preparation of a response to this case. It was considered that most of these types of activities are more appropriate outside of the planning system, and that legislation should be introduced by my Department that would provide a more accessible and timely screening and consent process for farmers. Therefore, these elements have been removed from the planning system by exemption and will now be included in Regulations that I will introduce. The drainage or reclamation of wetlands (bogs, marshes, ponds etc.), however, given the environmentally sensitive nature of such lands, will be retained in the planning system while the drainage of other lands will be controlled under my Department's Regulations. It should be noted that it is not intended that the drainage of lands will be generally prohibited but that a farmer will have to apply for permission where he or she intends to undertake drainage works above a certain area threshold.

The European Commission, on 1 June 2011, formally lodged an application with the ECJ to initiate second proceedings against Ireland for failing to implement the ECJ ruling. The Commission is requesting the ECJ to impose lump-sum and daily penalty fines on Ireland until the infringement ends.

The Department of Environment, Community and Local Government has brought draft regulations to the Oireachtas for approval. These Regulations amend the EIA and planning exempted development thresholds for drainage or reclamations of wetlands. A Joint Oireachtas Committee meeting of the Transport, Environment, Culture and the Gaeltacht was held on Thursday 14 July 2011 to discuss the draft Regulations and these regulations have now been referred back to the Dáil and Seanad for consideration on 20 July.

Discussions on Ireland's response to the judgement between the European Commission and officials from both Departments are ongoing. It is my intention to introduce legislation as soon as they have satisfactorily concluded.

### **Food Industry**

570. **Deputy Peadar Tóibín** asked the Minister for Agriculture, Fisheries and Food the steps he will take to develop the agri-food sector. [21160/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The Food Harvest 2020 (FH2020) strategy represents the strategic blueprint for the development of the agriculture, food, fisheries and forestry sector for the next decade. Its implementation, as well as the parallel negotiations at EU level to ensure an appropriate CAP policy and EU Budget framework post 2013, are the strategic steps which I am pursuing to develop the agri-food sector.

Actions have already been taken to progress implementation of Food Harvest 2020. I chair the High Level Implementation Committee (HLIC) which has been established specifically to ensure a fully joined up effort on the part of State bodies in the implementation of FH2020; to encourage proactive engagement by the agri-food industry and private sector with the implementation process; and to act as a "clearing house" for issues relating to the development of the sector.

Actions taken include

- A call for research proposals targeted on the priorities identified in Food Harvest 2020.

- The establishment of the Agri Research Expert Advisory (AREA) Group to facilitate input from the agriculture industry into primary research programmes.
- A Dairy Expansion Activation Group, comprised largely of private sector representatives, has already published its Dairy Sector Road Map, setting out the actions required by the sector to achieve the target 50% increase in milk production by 2020.
- The Beef 2020 Activation Group has reported back to the HLIC on its proposals to drive the implementation of the beef related recommendations of FH 2020.
- Bord Bia, Teagasc and the UK Carbon Trust are collaborating to verify and improve the sustainability aspect of Bord Bia's Beef Quality Assurance Scheme.
- The 'Brand Ireland' concept is being developed initially through the work of Bord Bia.

I am continuing to work to make substantial progress towards the achievement of the agri-food industry targets and next week I am producing the substantive progress report on what has been achieved over the past year under Food Harvest 2020.

### **Departmental Correspondence**

571. **Deputy Marcella Corcoran Kennedy** asked the Minister for Agriculture, Fisheries and Food if he has received correspondence from a company (details supplied) in County Offaly; if an investigation with regard to the tendering procedure by a local authority will be addressed; and if he will make a statement on the matter. [21689/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** I can confirm that I have, in common with Deputy Corcoran Kennedy, been copied on correspondence between Inland and Coastal Marina Systems Ltd. and Dún Laoghaire Rathdown County Council.

My Department does not have any function in relation to any investigation into the tendering process. This is a matter for the Department of Environment, Community and Local Government who have responsibility for Dún Laoghaire Rathdown County Council.

### **Agri-Environment Options Scheme**

572. **Deputy Denis Naughten** asked the Minister for Agriculture, Fisheries and Food the position regarding an application in respect of a person (details supplied) in County Roscommon; if this application has been approved; and if he will make a statement on the matter. [21937/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** An application was received under the Agri-Environment Options Scheme from the person named on 20 April 2011. All applications are currently being processed and acknowledgement letters will issue shortly to all applicants. The applications will then be evaluated for eligibility and approval letters will issue to successful applicants as soon as possible.

### **National Lottery Funding**

573. **Deputy Paudie Coffey** asked the Minister for Agriculture, Fisheries and Food the amount of national lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form; and if he will make a statement on the matter. [21969/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** My Department has received no funding from the National Lottery for 2009 or 2010.

### **Bovine Disease Controls**

574. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Fisheries and Food the manner in which a herd number was transferred on a permanent or interim basis in respect of animals on the lands owned by a person (details supplied) in County Cork; if confirmation as to the ownership of the lands was sought or given; if permission of the landowner or evidence thereof was sought or given in respect of the issue of the herd number in question; the date on which the application was made and by whom; if such persons had sought or received the permission of the owner of the lands; if traceability in respect of animals on the lands was verified at the time; if authorisation was sought or given for qualification for any particular payments arising from entitlement or perceived entitlement on foot of particular or specific evidence produced; if procedures in accordance with the guidelines set out in Parliamentary Questions Nos 260 and 261 of 14 July 2011 have been complied with; and if he will make a statement on the matter. [22035/11]

582. **Deputy Bernard J. Durkan** asked the Minister for Agriculture, Fisheries and Food if, in the course of the allocation of a temporary caretaker herd number in the case of a herd (details supplied) in County Cork, confirmation was sought in the matter of the traceability of all animals on the property; if confirmation as to the ownership of the lands at which the herd was located was sought or received; if an indication was given as to whether the holder of the herd registration number automatically qualified for various farm payments; the date on which the herd number was transferred or issued; the extent of any payments made by his Department directly or indirectly thereafter; and if he will make a statement on the matter. [22350/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** I propose to take Questions Nos. 574 and 582 together.

I refer the Deputy to my reply to Question No. 285 of 20 July 2011.

### **Departmental Schemes**

575. **Deputy Sean Fleming** asked the Minister for Agriculture, Fisheries and Food if, under the terms of the rain water harvesting scheme, planning permission is required in situations where the construction is overground and where it involves excavations in the construction of an underground tank, as this issue will remove the incentive for many farmers to proceed with this scheme; and if he will make a statement on the matter. [22044/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The Rainwater Harvesting Scheme was temporarily suspended for new applications on 8 June 2011 pending the outcome of the comprehensive expenditure review of my Department which is currently taking place.

Under the terms of the Scheme, a grant of full planning permission or an exemption from planning from the relevant local authority was required for all rainwater harvesting tanks. The provisions of planning legislation in Ireland are, of course, primarily a matter for my colleague, the Minister for the Environment, Community and Local Government. The draft Planning and Development (Amendment) (No. 2) Regulations 2011 which are currently before the Houses of the Oireachtas provide for exemptions for such tanks in certain circumstances.

### **Grant Payments**

576. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the problem with regard to processing of applications under the farm improvement scheme; if schemes

that have already been inspected for payment have to be re-assessed; and if he will make a statement on the matter. [22089/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Revised payment procedures have recently been introduced for the Farm Improvement Scheme as a result of audit issues. The introduction of these revised procedures will enable the backlog of approximately 200 payment files under the Scheme to be processed and I would expect that all outstanding claims will be paid in the next few weeks.

### Food Safety

577. **Deputy Ciara Conway** asked the Minister for Agriculture, Fisheries and Food the work that has been done to create a single food safety monitoring agency, building on the existing Food Safety Authority of Ireland, which will be responsible for food safety from farm to fork; when this body will become a reality; the impact on employment; the location at which same will be based; and if he will make a statement on the matter. [22236/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The Food Safety Authority of Ireland (FSAI) is responsible for the enforcement of all food legislation in Ireland through service contracts with my Department and other agencies.

The Inter Agency Review of the pork dioxin incident in December 2008 recommended that the remit of the FSAI should be extended to include animal feed. The legal methods of putting this in place are currently being examined and it is intended that the role of the FSAI will be extended in line with the recommendation. Once the process is completed, the FSAI will have overall monitoring responsibility for both feed and food, consistent with the EU Hygiene legislation which also covers both areas.

### Departmental Expenditure

578. **Deputy Shane Ross** asked the Minister for Agriculture, Fisheries and Food the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22257/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The payments made by my Department were generally in respect of forestry-related work undertaken by the Irish Forest Industry Chain (IFIC), an affiliate of Irish Business and Employers Confederation (IBEC) — payments were, however, made payable to IBEC.

Payment to:	Purpose	Period	Amount €
IBEC	Forestry Promotional campaign undertaken by Irish Forest Industry Chain (IFIC), an affiliate of IBEC	2006-2008	286,178.44
IBEC	Production of reports relevant to timber haulage — undertaken by Forest Industry Transport Group but payments made to IBEC	2006-2007	3,300
IBEC	Promotion of Forestry undertaken by IFIC	2004-2005	25,000
IBEC	Development of 'Road Haulage of Round Timber — Code of Practice' by IFIC & Forest Industry Transport Group	2004	2,381.98
IBEC	Promotion of Forestry undertaken by IFIC	2003 (Final Instalment paid in 2004)	10,000
Total			326,860.42

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Prior to the assignment of responsibility for Forestry to this Department with effect from 1 Jan 2004, amounts were also paid, by the Department of Marine and Natural Resources, in relation to a ‘National Forestry Information Initiative’ undertaken by IFIC — from the records available at this stage, the total amount paid over the period was €141,030.17.

Seven of the State Bodies that fall under my Department’s remit are also fully paid up members of this organisation — Bord Bia, Bord Iascaigh Mhara, Marine Institute, Bord na gCon, Horse Racing Ireland, Irish National Stud and Coillte.

### **Milk Quota**

579. **Deputy John McGuinness** asked the Minister for Agriculture, Fisheries and Food, regarding an application to the scheme for allocation of milk quota to new entrants in respect of a person (details supplied) in County Kilkenny, if he will review the response, as he stated in writing that they were refused because of their lack of qualification, which is incorrect, and not because the application was late; if he will consider again the applicant’s qualifications and approve the application; if he will check the tracking number, which shows it was posted in time; and if he will expedite a response. [22319/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The 2011 Scheme for the Allocation of Milk Quota to New Entrants was announced on 31 January 2011, with a closing date of 8 April 2011. It was requested in the detailed rules of the scheme that applicants should ensure they allow sufficient time for their application to reach the designated office before the closing date. While the tracking number referred to may provide evidence of postage before the closing date, it also provides evidence that the application in question was not received in the Department until 11 April. There was significant over-subscription to this scheme.

It is regrettable that the incorrect notification letter issued to the named person; however, the fact remains that the application was not received by the closing date and, it was for this reason, rather than for the reason of educational qualifications, that the application was not submitted to the assessment group for consideration.

Accordingly, I cannot accede to your request in this matter. I would of course point out that the applicant can apply in the event of a future scheme being launched in relation to new entrants.

### **Grant Payments**

580. **Deputy Noel Grealish** asked the Minister for Agriculture, Fisheries and Food when the agri-environment options scheme for 2010 will be awarded; and if he will make a statement on the matter. [22338/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Under the EU Regulations governing the Agri-environment Options Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. I expect that payments to participants in the scheme in respect of the first year will commence in August and that payments in respect of year two will commence in October. I am working with my officials to bring the payments forward if at all possible as I can understand the need for expediency.

### **Domestic Abattoirs**

581. **Deputy Noel Grealish** asked the Minister for Agriculture, Fisheries and Food the pur-



pose for which the insurance fee on animals which are slaughtered in a factory is used; the cover, if same is underwritten by any insurance company; the amount collected annually under this scheme; and if he will make a statement on the matter. [22339/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** While I understand such schemes are in place, they are a commercial arrangement between individual slaughter plants and the farmers supplying animals to those plants. My Department has no role in these insurance schemes and we do not gather the information sought by the Deputy.

*Question No. 582 answered with Question No. 574.*

### **Chuanta Iascaigh**

583. D'fhiafraigh **Éamon Ó Cuív** den Aire Talmhaíochta, Iascaigh agus Bia an bhfuil i gceist táillí páirceála a ghearradh ar oileánaigh ag an gclós páirceála de chuid na Roinne i Ros an Mhíl ó tharla nár gearradh táillí ar oileánaigh go dtí seo agus an ndéanfaidh sé ráiteas ina thaobh. [22370/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Tá mo Roinn freagrach as na sé Lárionad Chuan Iascaigh a bhainistiú agus a fhorbairt, lena n-áirítear Lárionad Chuan Iascaigh Ros an Mhíl.

Is féidir liom a dheimhniú go ndearna mo Roinn infheistíocht le déanaí in uasghrádú na háise carrchlóis ag Lárionad Chuan Iascaigh Ros an Mhíl agus tá sé soiléir go bhfuil freagracht ar mo Roinn an toradh is mó is féidir a fháil ar an infheistíocht sin. Tá an bealach iomchuí chun úsáid na háise sin a bhainistiúá mheas faoi láthair.

584. D'fhiafraigh **Éamon Ó Cuív** den Aire Talmhaíochta, Iascaigh agus Bia cé na socrúithe atáá ndéanamh lena chinntiú go mbeidh daoine i gcathaoireacha rothaí in ann dul ar gach seoladh ó Ros an Mhíl go dtí Oileáin Árann; agus an ndéanfaidh sé ráiteas ina thaobh. [22371/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Tá na pontúin ag Lárionad Chuan Iascaigh Ros an Mhíl i bhfeidhm ó 10ú Bealtaine 2011 agus baineann na seirbhísí farantóireachta uile chuig Oileáin Árann úsáid as na pontúin nua. Ní bhíonn aon deacrachtaí ag paisinéirí cathaoireacha rotha ag gabháil do na pontúin nó ag teacht uathu ar an bpríomhdheic ag an Lárionad Chuan Iascaigh. De bharr shaorbhord íseal na n-árthaí agus toisc go bhfuil leibhéal phríomhdheic an phontúin beagnach ar comhairde leis na doirse isteach do phaisinéirí ar an ártach, bíonn rochtain éasca ag paisinéirí atá faoi mhíchumas luaineachta ar na háirthaí. Deimhnítear leis an bpontún snámha go mbíonn an scéal mar sin i gcónaí mar ardaíonn agus titeann an t-ártach agus an pontún araon de réir na dtaoidí.

Ba cheart dom a lua áfach, go bhfuil an Roinn Iompair freagrach as báid farantóireachta do phaisinéirí agus as sábháilteacht mhuirí. Tuigim go raibh Oifig Suirbhéireachta Muirí na Roinne Iompair i dteagmháil le hoibreoír an bháid fharantóireachta i Ros an Mhíl maidir le hábhair inní dóibh i leith na n-áiseanna ar an mbád farantóireachta chun paisinéirí i gcathaoireacha rotha a iompar.

Tá an Roinn Gnóthaí Pobail, Comhionannais agus Gaeltachta a thugann an fóirdheontas maidir le paisinéirí a iompar go dtí Oileáin Árann ar an eolas faoi na hábhair atá ina gcúiseanna inní don Roinn Iompair maidir le háiseanna ar an mbád farantóireachta do phaisinéirí i gcathaoireacha rotha. Chuaigh siad i dteagmháil le hoibreoír an bháid fharantóireachta d'fhonn réiteach a aithint ar na hábhair inní a thug an Oifig Suirbhéireachta Muirí chun cinn.

### Ministerial Responsibilities

585. **Deputy Michael Moynihan** asked the Minister for Agriculture, Fisheries and Food the division of responsibilities between the Minister and the Minister of State at his Department. [22470/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** As Minister for Agriculture, Fisheries and Food I retain overall responsibility for all the functions of my Department. Statutory powers and duties in relation to food safety, horticulture, forestry and the greyhound industry were delegated to the Minister of State in my Department as set out in the Agriculture, Fisheries & Food (Delegation of Ministerial Functions) Order 2011 (SI No 283 of 2011).

### Departmental Equipment

586. **Deputy Dara Calleary** asked the Minister for Agriculture, Fisheries and Food the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22482/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The number of computer servers owned by my Department is 269 providing production, test and development environments for both internal and external services. The number of physical servers is being reduced over time through a policy of amalgamation and increased use of virtualisation technologies.

The total amount of storage currently available to these servers is 254.6 Terabytes.

The number of computer servers that are owned or leased by each State agency under the aegis of my Department is an operational matter for the agencies themselves and the information is not readily available to my Department.

### Food Safety

587. **Deputy Joe Costello** asked the Minister for Agriculture, Fisheries and Food if he will engage in discussion with the stakeholders regarding the proposed ban on raw milk; if he will develop a regulatory system of labelling for raw milk which will inform all customers of potential risks; the reason raw milk is to be banned when there are many foods with risks associated which are not banned, for example shellfish and eggs; and if he will make a statement on the matter. [22498/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The reason for maintaining a ban on the sale of raw milk for human consumption is to protect public health. A consultation process was held during 2008 to determine public views on the proposal to extend the ban to include goat and sheep milk. Seventeen responses were received. Neither my Department nor the Food Safety Authority of Ireland were convinced that the submissions received provided any justification to oppose the expert advice that the extended ban should be supported in legislation.

The proposed ban is based on strong advice from both food safety and public health professionals. There have been serious health issues associated with the drinking of raw milk in Ireland and in a number of other countries. In 2010 the Scientific Committee of the Food Safety Authority of Ireland published a report on the prevention of E. coli infection. One of the recommendations of that report was that the sale of raw milk be prohibited. I am satisfied that a ban on the sale of raw milk for human consumption is fully justified. I do not propose to ban the sale of cheese or other products manufactured from raw milk, as the same risk to public health does not arise. The FSAI is charged with assessing risks associated with other

food products and my Department will consider any advice given by the relevant experts and appropriate action will be taken, if required, to deal with those risks.

Legislation required to allow the sale of raw milk on a restricted basis would be complicated and would impose significant extra cost on my Department in relation to oversight and enforcement. Failure to adequately oversee such high-risk business operations could result in serious national and international reputational risk to our important dairy industry. The prevalence of TB in herds in Ireland puts us in a different position to most other Member States in the EU where the disease has been eradicated. It is inappropriate that Ireland should adopt the same approach to the consumption of raw milk as countries that do not have the same difficulty with TB and therefore have no associated risk.

Article 10(8) of EU Regulation 853 of 2004 provides that a Member State may maintain or establish national rules prohibiting or restricting the sale of raw milk or raw cream intended for direct human consumption. The introduction of S.I. No. 910 of 2005 to implement the EU Food and Feed Hygiene Regulations in 2006 had the effect of removing the existing legal basis for the prohibition of the sale of raw cows milk for direct human consumption under S.I. No. 9 of 1996. Section 54 of the Health Act of 1947 (as amended by Section 25 of the Irish Medicines Board (Miscellaneous Provisions) Act 2006) has been identified as the appropriate primary legislation for this purpose and the Department of Health has agreed to promote a Statutory Instrument under that Act on behalf of my Department. The latest indicative timeframe for the introduction of the S.I. is end 2011, which includes allowance for a 3-month EU notification period.

### **Grant Payments**

588. **Deputy Michael P. Kitt** asked the Minister for Agriculture, Fisheries and Food when the grants under the agri-environment options scheme 2010 will be awarded; and if he will make a statement on the matter. [22500/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Under the EU Regulations governing the Agri-environment Options Scheme and other area-based payment schemes, a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. I expect that payments to participants in the scheme in respect of the first year will commence in August and that payments in respect of year two will commence in October. I am working with my officials to bring the payments forward if at all possible as I can understand the need for expediency.

### **Appointments to State Boards**

589. **Deputy Anne Ferris** asked the Minister for Agriculture, Fisheries and Food the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22535/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Last May, notification was placed on my Department's website inviting expressions of interest from persons interested in being appointed to the boards of State Bodies and Agencies under the aegis of my Department. Such persons can submit a short note or CV through [stateboardvacancies@agriculture.gov.ie](mailto:stateboardvacancies@agriculture.gov.ie). These applications will be considered when appointments are being made to any of these boards. It is hoped that this will provide me with a wide range of applicants, including women, with the appropriate mix of skills and experience in the relevant area of work. It should be pointed out that certain appointments to Semi State Bodies under the aegis of my Department are made on the nomination of Representative Bodies.

### Harbours and Piers

590. **Deputy Brendan Griffin** asked the Minister for Agriculture, Fisheries and Food if he will contribute to the development of piers at Dunquin and An Blascaod Mór, County Kerry; and if he will make a statement on the matter. [22551/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** The pier at Dunquin is owned by Kerry County Council and the responsibility for its repair and maintenance lies with the Local Authority in the first instance. The Office of Public Works is responsible for the pier at An Blascaod Mór.

My Department's Fishery Harbour and Coastal Infrastructure Development Programme does, however, provide funding for Local Authority owned Piers and Harbours subject to the availability of necessary funding. In May 2011, my Department invited Local Authorities to submit applications in respect of priority harbour development projects for inclusion in the 2011 Programme. The application from Kerry County Council did not include a request for funding for Dunquin. The 2011 programme has been finalised and Local Authorities have recently been informed of the funding that has been allocated to them under the Programme.

Any applications for funding in future years will be given consideration subject to available Exchequer funding and overall national priorities.

### Departmental Expenditure

591. **Deputy Olivia Mitchell** asked the Minister for Agriculture, Fisheries and Food if, in view of the change of name of the Department, he has procured a new logo for his Department, new signage or any other branding such as stationery; if so, the cost of same; and if he will make a statement on the matter. [22552/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** As the transfer of functions is currently the subject of discussions between the relevant Departments this has delayed the alteration of title for the time being. Therefore, issues surrounding new logos, stationery etc. have not been finalised.

### Departmental Bodies

592. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the number of quangos, agencies and authorities that were established by his Department in each of the years from 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22574/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** It is not possible to provide this information in the required time. I will forward it to the Deputy as soon as it is available.

### Consultancy Contracts

593. **Deputy Joe McHugh** asked the Minister for Agriculture, Fisheries and Food the number of consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22591/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** Due to the volume of the information requested by the Deputy, it was not possible to provide it in the required time. I will forward it to the Deputy as soon as it is available.

### State Agencies

594. **Deputy Mary Lou McDonald** asked the Minister for Agriculture, Fisheries and Food the money saved if all State agency board member payments in his Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22733/11]

**Minister for Agriculture, Fisheries and Food (Deputy Simon Coveney):** No board member of a State Agency coming within the aegis of my Department is paid fees in excess of €50,000. This is in accordance with Department of Finance instructions governing the payment of such fees.

### Adoption Services

595. **Deputy Clare Daly** asked the Minister for Children and Youth Affairs if she will seek to establish the existence and whereabouts of files such as medical and social work files pertaining to the illegal adoption in the case of a person (details supplied); and if she will make a statement on the matter. [21568/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Information and Tracing Unit in the Adoption Board provides an advice and referral service for those seeking to trace or to obtain medical or personal information. This unit provides services directly to adoptees, natural mothers and birth families. It also works closely with the registered adoption societies and the HSE nationwide information and tracing services. Improvements to this service have been effected by the computerisation of the unique adoption files held by the Board.

The National Adoption Contact Register was established in 2005 to assist adopted people and their natural families to make contact with each other, exchange information or state their contact preferences. They decide, through a range of information and contact options, how they wish to proceed. Already 440 matches have been made on the Register representing over 900 individuals who have now received a service. The operation of the Register was reviewed in 2007 and a major upgrading of it has just been completed.

The Adoption Board, together with the societies, the HSE and the support groups, developed the “Standardised Framework for the Provision of a National Information and Tracing Service”. This was published in November 2007 and sets standards and provides guidance and advice for information and tracing services providers nationally. The standardised Framework is currently being piloted nationally. In relation to Information and Tracing for persons adopted from abroad, the Adoption Board intends to undertake a consultation process with interested parties to determine how best to address the needs of those adopted from abroad.

Legislation to provide for information and tracing is in preparation within my department and is a priority. This is a sensitive and complex area, and it will be necessary for the legislation to balance the constitutional rights of mothers whose children were adopted with those of adopted people seeking to trace their birth families.

### Proposed Legislation

596. **Deputy Joe McHugh** asked the Minister for Children and Youth Affairs if certain issues (details supplied) will be addressed in the children’s referendum; and if she will make a statement on the matter. [22341/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Programme for Government 2011 states that the referendum on Children’s Rights is a priority, and that the wording will be along the lines of that proposed by the All Party Oireachtas Committee. On taking office I instructed the Department of Children and Youth Affairs (DCYA) to work with

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the Office of the Attorney General, with a view to preparing a draft wording which will more closely reflect the work of the Joint Committee, than that which the previous Government approved in draft form.

Accordingly the preparation of a draft wording is being undertaken by Parliamentary Counsel in association with the Advisory Counsel in the Office of the Attorney General and officials in my Department. I would hope to be in a position to submit the outcome of this work to Government for approval in the Autumn. It is envisaged that Government will be asked to approve the drafting of a bill based on the wording submitted and to request the approval of the Oireachtas for the holding of a Constitutional referendum. I look forward, in particular, to the debate among political and civic leaders and the wider public about the place of children within our society further raising awareness of the interests of children.

### **National Lottery**

597. **Deputy Paudie Coffey** asked the Minister for Children and Youth Affairs the amount of national lottery funding her Department received in 2009 and 2010; if she will provide a list of the money that was spent in tabular form. [21972/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Department of Children and Youth Affairs was established in June 2011 and therefore has no expenditure that falls into the parameters of the question.

### **Proposed Legislation**

598. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if additional financial resources will be established to ensure the successful implementation of the Children First legislation this autumn. [22071/11]

599. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she has had any discussions with her Cabinet colleagues regarding the provision of additional resources for the implementation of the Children First legislation; and if she will make a statement on the matter. [22072/11]

600. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she has carried out an analysis of the cost involved and the resources needed in implementing the Children First guidance on a statutory footing. [22073/11]

601. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she has carried out an analysis of the cost involved in implementing mandatory reporting as part of the Children First legislation. [22074/11]

602. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she will be carrying out a review or any reform of social services to ensure they have sufficient resources in place to cope with the additional workload once legislation on Children First is enacted in the autumn. [22075/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** I propose to take Questions Nos. 598 to 602, inclusive, together.

I launched the Children First: National Guidance for the Protection and Welfare of Children on 15 July, 2011. The Guidance deals with the recognition, reporting and management of child safety concerns. It sets out a number of key messages relating to the duty to protect children. Among these are that the safety and welfare of children is everyone's responsibility, that chil-

dren will have safer lives where everyone is attentive to their well-being and that people who work with children across a range of areas understand their responsibility for safe practice and the reporting of concerns. The Guidance sets out specific protocols for HSE social workers, Gardaí and other front line staff in dealing with suspected abuse. The scope of Children First extends beyond the reporting of suspected abuse. It emphasises the importance of multi-disciplinary, inter-agency working in the management of such concerns. Key to this is the sharing of information between agencies and disciplines in the best interests of children and the need for full co-operation to ensure better outcomes.

I have advised my Cabinet colleagues that it is my intention to develop proposals in consultation with the Minister for Justice and Equality for a Bill to make compliance with the Children First Guidance a statutory obligation. The legislation will reflect a broad based approach to compliance with obligations extending beyond reporting to one of safeguarding children at risk and the objective will be to ensure the greater protection of children by strengthening the existing system for reporting and responding to suspected child abuse.

However the focus on compliance does not in anyway underestimate that we need capacity in our child protection services. We must also focus on appropriate management, consistency of response and the creation of a world-class Irish model of child protection.

This week I laid before the Houses of the Oireachtas the Second Progress Report on recommendations contained in the Ryan Report Implementation Plan. Putting Children First on a statutory footing was a key recommendation of the Ryan Report and went hand-in-hand with other recommendations including those focusing on resources such as the proposed recruitment of 270 additional social workers. These posts are exempt from the public service recruitment moratorium and I am happy to report that 260 of these additional social work posts will have been filled by the end of this year. These new posts will significantly strengthen the capacity of the state's child protection and family support services.

I will present the necessary Regulatory Impact Analysis for consideration by the Government together with the Heads of Bill.

### **Health Service Staff**

603. **Deputy Charlie McConalogue** asked the Minister for Children and Youth Affairs if she will approve the hiring of additional social workers alongside the 270 social workers committed to as part of the implementation plan of the Ryan report. [22076/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The provision of an additional 270 social workers is one of the actions provided for in the Ryan Report Implementation Plan. The HSE completed the recruitment of 200 additional social workers in 2010. The HSE National Service Plan includes provision for the recruitment of an additional 60 social workers in 2011. It is the intention of the HSE to fill the remaining 10 posts in 2012.

In addition to the recruitment of the additional staff, the HSE has also been filling social work vacancies which have arisen due to individuals leaving the service, e.g. due to retirements.

The filling of social work vacancies and the recruitment of additional social workers was exempted from the current public sector recruitment moratorium. The need to recruit further additional social workers will be considered in the light of demand, availability of necessary resources and progress made in delivering necessary reforms in the area of child welfare and protection.

### **Youth Services**

604. **Deputy Eoghan Murphy** asked the Minister for Children and Youth Affairs if she sup-

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ports the Big Brother Big Sister mentoring programme for children in the community organised by Foróige. [22119/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The 2011 budget for the Youth Affairs Section of my Department is €60.154m on current expenditure and €800,000 on capital expenditure. This funding supports the delivery of a range of youth programmes and services for all young people, including those from disadvantaged communities through grants in aid.

Foróige is currently in receipt of €6.037m from Youth Affairs Unit for projects run under a number of schemes including the Youth Service Grant Scheme, Special Projects for Youth Scheme, four (4) Youth Information Centres and for a number of projects under the Young Peoples Facilities and Services Fund (Rounds 1 and 2). As Minister for Children and Youth Affairs I am aware of the Big Brother Big Sister Programme. However, having regard to the reductions in public expenditure that must be achieved by Government Departments and State Agencies and the limited funding available, it was not possible to consider funding for the programme in 2011. In light of further budgetary constraints in 2012 it is unlikely that any new application for funding will be considered next year.

### Departmental Expenditure

605. **Deputy Shane Ross** asked the Minister for Children and Youth Affairs the sum of any public funds and their purpose which have been awarded by her Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22260/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Department of Children and Youth Affairs was established in June 2011 and therefore has no expenditure that falls into the parameters of the question.

### Grant Payments

606. **Deputy Dominic Hannigan** asked the Minister for Children and Youth Affairs the organisations and the amounts each of them were awarded by the youth service general grant scheme and the special projects for youth grant scheme in 2009, 2010 and 2011, in tabular form; and if she will make a statement on the matter. [22467/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Youth Affairs Unit of my Department supports the delivery of a range of youth work programmes and services for all young people including those from disadvantaged communities through grants in aid. Details of grant-in-aid funding for services to national and major regional youth organisations under the Youth Service Grant Scheme (YSGS) and youth projects under the Special Projects for Youth Scheme (SPY) are outlined in the following table. A breakdown of grants to individual youth organisation and youth projects is also outlined.

Youth Service Grant Scheme — YSGS

Year	Grant paid
2009	12,611,454
2010	12,326,915
2011	11,444,311



Youth Service Grant Scheme	Grants paid 2009
An Óige	233,409
Athlone Community Services	47,619
Catholic Guides of Ireland	334,890
Catholic Youth Care	1,188,132
Church of Ireland Youth Department	232,596
Confederation of Peace Corps	166,561
ECO — UNESCO Clubs	158,275
Experiment In International Living	37,275
Feachtas	115,281
Foróige	2,353,724
Girls Brigade	58,826
Irish Girl Guides	559,418
Junior Chamber Ireland	21,909
Macra na Feirme	572,680
National Association for Youth Drama	131,702
National Federation of Arch Clubs	67,593
National Youth Council of Ireland	749,004
No Name Club Ltd	252,363
Ógra Chorcaí	696,621
Ogras	240,980
Order of Malta Cadets	62,608
Scouting Ireland Ltd	1,104,948
The Boys Brigade	74,307
Voluntary Services International	104,331
Young Christian Workers	123,483
Young Irish Film Makers	75,600
Young Mens Christian Association	195,683
Youth Work Ireland	2,471,759
<b>Total</b>	<b>12,431,577</b>
Payments on a one-off basis	2009
Scouting Ireland	10,850
Catholic Youth Guides	5,000
BelongTo	19,783
YMCA	3,305
<b>Total</b>	<b>38,938</b>
Girls Friendly Society	40,163
DYCW Methodist Church in Ireland	37,660
Presbyterian Youth	63,116
<b>Total</b>	<b>140,939</b>
<b>Overall expenditure 2009 for the YSGS</b>	<b>12,611,454</b>

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Youth Service Grant Scheme (YSGS)	2010 Allocation
An Óige	228,740
Belong To — LGBT	113,400
Catholic Guides of Ireland	328,189
Catholic Youth Care	1,164,369
Church of Ireland Youth Department	227,944
Comthraenail	0
Confederation of Peace Corps	163,230
ECO — UNESCO Clubs	155,109
Experiment In International Living	36,530
Feachtas	112,976
Foróige	2,306,650
Girls Brigade	57,650
Irish Girl Guides	484,530
Junior Chamber Ireland	21,471
Macra na Feirme	561,226
National Association for Youth Drama	129,068
National Federation of Arch Clubs	66,241
National Youth Council of Ireland	734,024
No Name Club Ltd	247,316
Ógra Chorcaí	682,689
Ogras	236,160
Order of Malta Cadets	61,356
Scouting Ireland Ltd	1,082,849
The Boys Brigade	72,820
Voluntary Services International	102,244
Young Christian Workers	121,013
Young Irish Film Makers	74,088
Young Mens Christian Association	191,769
Youth Work Ireland	2,422,324
<b>Total</b>	<b>12,185,976</b>
Girls Friendly Society	40,163
DYCW Methodist Church in Ireland	37,660
Presbyterian Youth	63,116
<b>Total</b>	<b>140,939</b>
<b>Overall expenditure 2010 for the YSGS</b>	<b>12,326,915</b>

Youth Service Grant Scheme (YSGS)	2011 Allocation
An Óige	212,363
Belong To — LGBT	105,281
Catholic Guides of Ireland	304,694
Catholic Youth Care	1,081,001
Church of Ireland Youth Department	211,623

Youth Service Grant Scheme (YSGS)	2011 Allocation
Comthraenail	0
Confederation of Peace Corps	151,542
ECO — UNESCO Clubs	144,003
Experiment In International Living	33,914
Feachtas	104,887
Foróige	2,141,493
Girls Brigade	53,522
Irish Girl Guides	449,838
Junior Chamber Ireland	19,934
Macra na Feirme	521,043
National Association for Youth Drama	119,827
National Federation of Arch Clubs	61,498
National Youth Council of Ireland	681,468
No Name Club Ltd	229,608
Ógra Chorcaí	633,808
Ogras	219,251
Order of Malta Cadets	56,963
Scouting Ireland Ltd	1,005,317
The Boys Brigade	67,606
Voluntary Services International	94,924
Young Christian Workers	112,348
Young Irish Film Makers	68,783
Young Mens Christian Association	178,039
Youth Work Ireland	2,248,885
<b>Totals</b>	<b>11,313,463</b>
Girls Friendly Society	37,287
DYCW Methodist Church in Ireland	34,964
Presbyterian Youth	58,597
<b>Sub-totals</b>	<b>130,848</b>
<b>Grand Total</b>	<b>11,444,311</b>

## Special Projects for Youth Scheme — SPY

Year	Grant paid
2009	19,975,681
2010	19,475,670
2011	18,156,449

  

Special Projects for Youth	Grants paid 2009
<i>Dun Laoghaire VEC</i>	
Long-standing Projects	214,692
Loughlinstown/Ballybrack Project	108,675
Dun Laoghaire Town/Mountwood-Fitzgerald Pk.	99,239

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Special Projects for Youth	Grants paid 2009
Co-Ordination and Support	51,691
<b>Total</b>	<b>474,296</b>
<i>City of Dublin VEC (CDYSB)</i>	
Focus Ireland	817,884
Ballymun Youth Action Project	215,524
Ballymun Women's Resource Centre	51,993
Ballymun Regional Youth Resource (BRYR)	51,993
Ballymun Columban Youth Project	102,550
Ballymun Travellers Project	80,574
Rialto Youth Project	181,260
Inchicore (St. Michael's Parish) Project	124,450
Crumlin/Dublin 12 Youth Service	111,586
Ballyfermot Youth Federation Project	113,259
Bonnybrook Youth Project	102,332
Donnycarney (Consolata) Youth Project	111,393
Lourdes Youth Project	116,989
Darndale Youth Project	109,525
The Cavan Centre (Kilnacrott)	102,542
Candle Community Trust Project (Ballyfermot)	63,429
Adventure Sports Project	118,854
Stoneybatter Youth Service Project	117,379
Donore Avenue Youth Project	164,596
Finglas Youth Development Programme	167,200
Trinity Youth Project	51,993
Priorswood Youth Project	102,550
Cherry Orchard Integrated Youth Service	215,059
YMCA STEP Project	102,550
St. Andrew's Resource Centre	103,860
Administration, Survey and Evaluation	120,871
Travellers Youth Service	202,764
Pavee Point	84,100
Project Manager	47,538
Belong To Youth — LGBT	102,550
Transition Support Project	94,462
Belvedere Youth Project	51,993
<b>Total</b>	<b>4,305,600</b>
<i>City of Cork VEC</i>	
Glen Youth Development Project (Foróige)	116,172
Mahon Youth Development Project (Foróige)	126,066
Cork Youth Encounter Project Youth Work Prog.	50,446
STEP Project (YMCA)	58,118
Churchfield-Gurranabraher Yth Dev Project (NYF)	108,675
Togher Youth Dev. Centre (Ógra Chorcai)	109,918
Farranree Youth Dev. Centre + Outreach (Ógra Chorcai)	103,094
Knocknaheeny-Hollyhill Outreach (Ógra Chorcai)	58,118

Special Projects for Youth	Grants paid 2009
YMCA Youth Development Centre	58,118
Knocknaheeny-Hollyhill 11-15 (Ógra Chorcaí)	116,235
Summer Recreation Project (Ógra Chorcaí)	20,410
Ballyphehane & Cork NW	109,827
Bishopstown Special Project (Ógra Chorcaí)	116,235
Strawberry Hill Youth Dev. Centre ( Ógra Chorcaí)	109,918
Monitoring & Administration of Projects	30,612
<b>Total</b>	<b>1,291,959</b>
<i>County Cork VEC</i>	
Riverstown Youth Project	108,675
SKY Project (Mitchelstown/Charleville)	109,918
Summer Recreation 2000	17,229
Beara Peninsula Youth Development Project	114,046
Cobh Youth Services Project	100,587
<b>Total</b>	<b>450,455</b>
<i>City of Galway VEC</i>	
Long-standing Projects	27,598
Galway Youth Federation, Westside (Youth Action)	95,744
Ballinfoyle Youth Project	111,925
Ballybane Youth Development Project (Foróige)	74,299
Tagaste House Project	144,172
Galway Youth Theatre Project	58,118
Bohermore Community Activities Project	58,118
Mol an Óige Youth Centre + Fairgreen Crafts	89,775
Shantalla-Westside Young Parents Project	14,924
Le Chéile Westside	45,958
Rahoon Family Centre	48,500
Projects Development	63,428
Hillside Project for Young Travellers	15,534
Traveller Youth Project — Ballybane	109,918
Knocknacarra Youth Development Project	108,675
<b>Total</b>	<b>1,066,684</b>
<i>Co. Galway VEC</i>	
Youth In Action Project, Connemara	36,688
<b>Total</b>	<b>36,688</b>
<i>Co. Leitrim VEC</i>	
Mohill Community Youth Project	36,958
<b>Total</b>	<b>36,958</b>
<i>City of Limerick VEC</i>	
Limerick Youth Service Long-standing Project	85,348
Miscellaneous Long-standing Projects	43,879
Limerick Youth Encounter Project	27,048
Limerick Youth Theatre	70,875
Our Lady of Lourdes Community Youth Project	19,214

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Special Projects for Youth	Grants paid 2009
St Munchin's Family Resource Centre	108,675
The Blue Box Creative Learning Centre	100,587
<b>Total</b>	<b>455,626</b>
<i>Co. Limerick VEC</i>	
Youth in Action Project, Croom	65,476
Loobagh Youth Project	108,675
Castleconnell Youth Project	108,675
Rathkeale	100,587
<b>Total</b>	<b>383,413</b>
<i>City of Waterford VEC</i>	
Manor of St John Youth Project	156,980
Grants for Local Youth Organisations/Annual Youth Services Grants	87,666
Children's Group Link Project	125,068
Transport Service	43,152
S.H.Y. Project	109,918
Red Kettle Theatre Company Project	84,672
Waterford Youth Arts Ltd (Waterford Youth Drama Project)	108,675
Ballybeg Special Youth Project	108,675
Ferrybank Special Project (Foróige)	116,235
Administration	120,411
St. Brigid's Centre Project for Young Travellers	74,614
<b>Total</b>	<b>1,136,066</b>
<i>County Dublin VEC</i>	
Tallaght Youth Service (Foróige)	788,414
Blanchardstown Youth Service (Foróige)	452,966
Ronanstown Youth Service (CYC)	241,037
Clondalkin Youth Service (CYC)	99,180
Swords Youth Service (incorporating Baldoyle Youth Service) (CYC)	171,900
Disadvantaged Adventure Sports Programme formerly Outward Bound (CYC)	74,300
Lucan Youth Service (CYC)	115,919
CRYPTIC (Balbriggan)	108,675
Co-ordination and Administration (CYC)	77,013
West Dublin Parents and Kids Together (PAKT)	108,675
Youth Outreach 2000 Project, Baldoyle Forum Ltd.	98,212
Services to Young Travellers, Tallaght	100,587
Intel Computer Clubhouse, Blanchardstown Youth Service	83,302
Remember Us Youth Project	58,118
<b>Total</b>	<b>2,578,297</b>
<i>Co Wicklow VEC</i>	
Longstanding (Bray Youth Service)(CYC)	58,118

Special Projects for Youth	Grants paid 2009
Ballywaltrim Special Project (CYC)	109,918
Little Bray Special Project (CYC)	58,118
<b>Total</b>	<b>226,153</b>
<i>Co Kerry VEC</i>	
Tralee Youth Work Development Projects	233,637
<b>Total</b>	<b>233,637</b>
<i>Co. Tipperary VEC</i>	
Roscrea 2000 Ltd	108,675
Nenagh Community Youth Project	108,675
<b>Total</b>	<b>217,350</b>
<i>Catholic Youth Care</i>	
Finglas Youth Encounter Project	35,901
<b>Total</b>	<b>35,901</b>
<i>Co. Wicklow VEC — formerly CYC</i>	
East Wicklow Youth Service	58,118
<b>Total</b>	<b>58,118</b>
<i>National Association of Travellers Centres</i>	
Provision of Youth Services (Local)	405,128
Provision of Youth Services (NATC)	143,302
Administration and Co-ordination	129,594
Voice Magazine	36,768
Development Worker Post	108,675
<b>Total</b>	<b>823,467</b>
<i>Youth Work Ireland</i>	
Athy Youth Project	86,686
Ballycane-Sarto Youth Project (Naas)	116,235
Clare Youth Service, Disadvantaged Outreach	81,652
Clonmel Youth Resource Centre Project	63,472
Coxes Demesne Youth Project, Dundalk	108,675
Co-ordination of Projects — NYF	74,411
Donegal Youth Service Youth Outreach Project	108,675
Dungarvan Youth Resource Centre Project	64,035
Ennis Literacy Project, Clare Youth Service	109,918
Fermoy/Middleton/Mallow Projects	226,000
The Gateway Project	108,675
Callan and Castlecomer Project	116,235
Killarney Youth Work Project	74,355
Leitrim Youth Project	108,675
Leixlip Youth project	116,235
Limerick Youth Service Resource Centre	360,305
Limerick Youth Service — Outreach Project	108,675
Limerick YS Special Social Initiative (2nd Chance Pr)	212,284
Listowel/North Kerry Project	109,918

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Special Projects for Youth	Grants paid 2009
Midlands Project, Athlone	111,305
Craobh Rua Youth Project, Dundalk	108,675
Mullingar Youth Response Project	108,675
New Oak, Carlow	116,235
North Galway (Tuam area) Project	58,118
North Mayo Youth Project	116,235
Ossory Youth, Rural Outreach	116,235
Galway Youth Federation East Galway (Youth Resource Centre)	58,118
Research and Training Project — NYF	58,118
Templemore/Thurles Youth Project	100,288
Tipperary Rural Outreach Project	88,141
Tipperary Town Youth Project	61,960
Tullamore Youth Development Project	108,675
Wexford Town Young Women's Project	141,597
Wexford & Enniscorthy Community Youth Projects	170,038
Woodstown Activity Centre Project, Co. Waterford	25,718
Southside Community Youth Project, Drogheda	116,235
Newbridge Youth Project	116,407
Castleblayney Early School Leavers	103,382
Youth Development Project Loughrea	51,691
Gorey Community Youth Project	96,935
Ballygar Youth Project, East Galway/Roscommon	107,496
Laois Youth Services	108,675
Ballaghaderreen Youth Project, Co. Roscommon	116,235
Meath Youth Together Project	116,235
Kildare Youth Project	100,587
Shannon Youth Project	100,587
Sliabh Luachra/Castleisland Youth Project, Co. Kerry	100,587
Graigucullen Youth Project, Co. Carlow	100,587
Curragh Youth Project	58,118
<b>Total</b>	<b>5,297,002</b>
<i>Offaly County Council</i>	
Tullamore Travellers' Movement Project	56,927
<b>Total</b>	<b>56,927</b>
<i>Tionscadal Oibre don Ógra</i>	
Tionscadal Mhuintearas na nOilean	72,164
<b>Total</b>	<b>72,164</b>
<i>Health Service Executive</i>	
Sligo/Leitrim Home Youth Liaison Service Project	58,118
<b>Total</b>	<b>58,118</b>



Special Projects for Youth	Grants paid 2009
<i>Co. Donegal VEC</i>	
Daybreak Programme, Donegal Youth Service	100,587
Total	100,587
<i>Co. Longford VEC</i>	
Co. Longford Youth Services Project	100,587
Total	100,587
<i>Co. Wexford VEC</i>	
Youth New Ross Project	108,675
Total	108,675
<i>Miscellaneous Projects Disadvantaged Youth</i>	
Sheelin Project, Co. Cavan VEC	12,873
Foróige Development Officer, Co. Donegal VEC	108,675
Ronanstown Pilot Project	14,924
Foróige Development Officer North Co. Dublin	108,675
City of Dublin Youth Service Board -Annual Grant	125,806
Total	370,953
Overall expenditure 2009 SPY	19,975,681

### Appointments to State Boards

607. **Deputy Anne Ferris** asked the Minister for Children and Youth Affairs the steps she is taking to ensure that State boards have at least 40% of each gender, as provided for in the Programme for Government; and if she will make a statement on the matter. [22475/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The gender make-up of State boards that are the responsibility of my Department is set out in the following table:

Agency	Male	Female	Vacancy
National Education and Welfare Board	5	4	4
Adoption Authority	1	4	2
Family Support Agency	1	4	7
Children's Act Advisory Board*	4	6	2

\*The Children's Act Advisory Board is in the process of being dissolved and the board membership is not being replaced.

### Departmental Equipment

608. **Deputy Dara Calleary** asked the Minister for Children and Youth Affairs the number of computer servers that are owned or leased by her Department and each State agency under the aegis of her Department; and the capacity of each server. [22485/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The information requested by the Deputy is being collated and will be forwarded in the coming weeks.

### Departmental Expenditure

609. **Deputy Olivia Mitchell** asked the Minister for Children and Youth Affairs if, in view of the change of name of the Department, she has procured a new logo for her Department, new signage or any other branding such as stationery; if so, the cost of same; and if she will make a statement on the matter. [22554/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The cost of rebranding the Department of Children and Youth Affairs by way of a new logo was €300 plus VAT.

### Departmental Bodies

610. **Deputy Joe McHugh** asked the Minister for Children and Youth Affairs the number of quangos, agencies and authorities that were established by her Department in each of the years 1997 to January 2011; the number of staff employed by her Department in 1997; the number of staff employed by her Department in January 2011; and if she will make a statement on the matter. [22577/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Department of Children and Youth Affairs was established in June 2011 and therefore has no information that falls into the remit of the Deputy's question.

### Consultancy Contracts

611. **Deputy Joe McHugh** asked the Minister for Children and Youth Affairs the number of consultancy reports commissioned by her Department between 1997 and January 2011; the cost of commissioning each report; if she will provide information on the implementation of recommendations set out in each report; and if she will make a statement on the matter. [22594/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Department of Children and Youth Affairs was established in June 2011 and therefore has no information that falls into the remit of the Deputy's question.

### State Boards

612. **Deputy Mary Lou McDonald** asked the Minister for Children and Youth Affairs the money saved if all State agency board member payments in her Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22735/11]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** The Department of Children and Youth Affairs would save €10,000 if all State agency board member payments in her Department were reduced by €10,000 where their current annual payment is in excess of €50,000 as the Department has only one board member who falls into that category.

### Medical Cards

613. **Deputy Eoghan Murphy** asked the Minister for Health if those in receipt of a State and work pension are entitled to a medical card once they reach 70 years, as in the case of a person (details supplied) in Dublin 14. [22124/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** Under the Health Act 2008, a simplified system of assessment for eligibility was introduced in respect of persons aged 70 or over, based on significantly higher gross income thresholds rather than the standard net income limits. The gross income thresholds are €700 per week for a single person and

€1,400 for a couple, as against net income limits of €210.50 for a single person and €298 for a couple.

### Health Services

614. **Deputy Billy Timmins** asked the Minister for Health the position regarding a domiciliary care allowance in respect of a person (details supplied) in County Wicklow; if same will be expedited; and if he will make a statement on the matter. [22155/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As the Deputy's question relates to service matters I have arranged for the question to be referred to the Health Service Executive for direct reply to the Deputy.

### Departmental Properties

615. **Deputy Peadar Tóibín** asked the Minister for Health the numbers and locations of his Department's buildings that are in an upward-only rent review contract; the cost of rents for 2008 to 2010, inclusive; and the expected rents for 2011. [21917/11]

616. **Deputy Peadar Tóibín** asked the Minister for Health the numbers and locations of buildings his Department leases that are in upward-only rent contracts; the amount of rent for 2008 to 2010, inclusive, and the expected rent for 2011. [21918/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 615 and 616 together.

The sourcing of property on behalf of Government Departments is a matter for the Office of Public Works. The Department's Headquarters is in Hawkins House, which is not subject to any lease. There are two leases currently held by my Department, as follows:

- Block D, Irish Life Mall, Dublin 1 which formerly accommodated the Women's Health Council, and now accommodates the Office of the Disability Appeals Officer
- 1 Ormond Quay Lower, Dublin 1 which formerly accommodated the Irish Council for Bioethics. My Department is actively seeking an alternative use for this premises for the remainder of its lease.

The Women's Health Council and the Irish Council for Bioethics were subsumed into my Department as part of the health sector agencies rationalisation initiative.

The following table shows the cost of rents:

Premises	2008	2009	2010	2011
Irish Life Building	Nil	€98,500	€98,500	€98,500
Ormond Quay	Nil	Nil	Nil	€48,000

### Nursing Home Support Scheme

617. **Deputy Bernard J. Durkan** asked the Minister for Health if and when the fair deal scheme will be approved in the case of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [21922/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### Ambulance Service

618. **Deputy Denis Naughten** asked the Minister for Health the number of ambulance bases here; the number of 24/7 bases; the bases that are achieving Health Information and Quality Authority targets for responses to category one calls; the bases that are achieving HIQA response targets for first responders; the bases that are achieving HIQA response targets for transporting ambulances; the specific steps that are being taken to achieve HIQA targets here; and if he will make a statement on the matter. [21938/11]

**Minister for Health (Deputy James Reilly):** There are 94 ambulance bases in the State and 91 operate on a 24-hour basis. Of these bases, 30 have varying degrees of dependency on on-call duty after hours — where ambulance staff are available but not on the premises — rather than rostered duty, where staff are on site. The National Ambulance Service (NAS) is working to reduce the dependency on on-call arrangements.

The HSE National Service Plan 2011 provides for publication of HIQA response times data for the first six months of 2011, at the first quarterly reporting date of September 2011. This information is being collected and must go through the HSE's testing and validation process prior to being available for publication. Response time data is collated on a regional basis only and will not be available on a station by station basis.

In order to achieve the HIQA targets, the NAS has developed a Performance Improvement Action Plan, focused on achieving an improvement in response time performance. It is expected that the move from on-call to rostered after hours arrangements, where feasible, will be a significant factor in any such improvements.

### Hospital Services

619. **Deputy Denis Naughten** asked the Minister for Health the steps he is taking to fulfil commitments given to the people of Roscommon in Dáil Éireann on 30 June 2011; and if he will make a statement on the matter. [21939/11]

**Minister for Health (Deputy James Reilly):** The HSE plan implementing the changes to the Emergency Department at Roscommon County Hospital came into effect on 11 July. This saw the establishment of an Urgent Care Centre in place of the Emergency Department. Persons with acute or life threatening conditions such as heart attacks are being brought by ambulance to larger hospitals, such as Galway, with higher volumes of patients and better outcomes for such conditions.

The Urgent Care Centre operates from 8 a.m. to 8 p.m. seven days a week and is provided by non-consultant hospital doctors (NCHDs) with clinical governance provided by an Emergency Medicine Consultant at Galway. As part of the transitional arrangements for a four week period, an NCHD is also available at the Urgent Care Centre from 8 p.m. to 8 a.m. supervised by an on call consultant.

An enhanced ambulance service has been put in place. During the day four ambulances staffed by paramedics are available while three are available at night. In addition there is a special Rapid Response Vehicle, staffed by an Advanced Paramedic on a 24/7 basis. An out of hours GP service is also in operation. A Medical Assessment Unit is open from 9 a.m. to 5 p.m. Monday to Friday. This is a medical admission pathway and accepts referrals from a range of sources, including General Practitioners. I was briefed on the plan by the HSE in advance of its implementation. The plan was necessitated by the serious patient safety concerns of the HSE and of the Health Information and Quality Authority in relation to the emergency service

at Roscommon following the publication of the Authority's report on Mallow. This was compounded because of NCHD recruitment difficulties.

Roscommon Hospital has a clear future, and will continue to provide key services to the people of the area. I believe that smaller hospitals can and should provide as wide as possible a range of services, close to the local community. The key concern is that they are safe. I intend to prepare a framework for the development of smaller hospitals, which will set out how they will develop to reach their full true potential. This will specify what services are transferring to them, from the larger hospitals. Too often we have focused on what we are taking away rather than what we can add to services there.

All of this will be done with full regard to the safety issues highlighted by HIQA, in its reports on Ennis and Mallow Hospitals. When implemented, smaller hospitals will have vibrant role, doing more work — not less — and meeting as many as possible of the needs of their local community.

### **Accident and Emergency Services**

620. **Deputy Denis Naughten** asked the Minister for Health the capacity of the accident and emergency department at Mayo General Hospital; the actual capacity up to July 2011 based on the level of staffing; the current capacity based on the level of staffing; the actual numbers presenting at the accident and emergency department; and if he will make a statement on the matter. [21941/11]

**Minister for Health (Deputy James Reilly):** My Department has asked the HSE for the detailed information sought by the Deputy and I will be in further communication with him when it is to hand.

621. **Deputy Denis Naughten** asked the Minister for Health the capacity of the accident and emergency department at Sligo General Hospital; the actual capacity up to July 2011 based on the level of staffing; the current capacity based on the level of staffing; the actual numbers presenting at the accident and emergency department; and if he will make a statement on the matter. [21942/11]

**Minister for Health (Deputy James Reilly):** My Department has asked the HSE for the detailed information sought by the Deputy and I will be in further communication with him when it is to hand.

622. **Deputy Denis Naughten** asked the Minister for Health the capacity of the accident and emergency department at Longford and Westmeath General Hospital, Mullingar, County Westmeath; the actual capacity up to July 2011 based on the level of staffing; the current capacity based on the level of staffing; the actual numbers presenting at the accident and emergency department; and if he will make a statement on the matter. [21943/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

623. **Deputy Denis Naughten** asked the Minister for Health the capacity of the Accident and Emergency Department at Midland Regional Hospital, Tullamore, County Offaly; the actual capacity up to July 2011 based on the level of staffing; the current capacity based on the level of staffing; the actual numbers presenting at the accident and emergency department; and if he will make a statement on the matter. [21944/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### Hospital Services

624. **Deputy Denis Naughten** asked the Minister for Health if he will publish the baseline figures for the mortality rates at Roscommon County Hospital; and if he will make a statement on the matter. [21945/11]

650. **Deputy Billy Kelleher** asked the Minister for Health if he still stands by the mortality figures for cardiac patients cited by him on 5 July 2011 in relation to Roscommon Hospital the week prior to the downgrading of services at Roscommon Hospital; and if he will make a statement on the matter. [22141/11]

651. **Deputy Billy Kelleher** asked the Minister for Health the mortality rates for cardiac patients at Roscommon Hospital cited by him on the 5 July 2011 in *Dail Éireann*; the way these figures were compiled; the persons that compiled them; if he will publish figures for all hospitals around the country; and if he will make a statement on the matter. [22142/11]

652. **Deputy Billy Kelleher** asked the Minister for Health the mortality rates for cardiac patients at all hospitals around the country over the past three years. [22143/11]

653. **Deputy Billy Kelleher** asked the Minister for Health the reason figures from the hospital in-patient inquiry system, compiled for the Health Service Executive by the Economic and Social Research Institute, show a much lower mortality rate for cardiac patients at Roscommon Hospital compared to the figures cited by him on the 5 July last; and the figures he will be applying to other hospitals where patient safety issues have been identified. [22144/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 624 and 650 to 653, inclusive, together.

The figures I cited on 5 July referred to 30-day in-hospital mortality rates from Acute Myocardial Infarction (AMI), otherwise known as heart attack, based on a three year period from 2008 to 2010. This is an indicator which has been developed by the OECD as part of its Health Care Quality Indicators (HCQI) project. The data comes from a draft report which is currently being completed by the Chief Medical Officer's division within the Department. This report assesses the potential value of using routinely collected hospital discharge data derived from the Hospital Inpatient Enquiry (HIPE) system as a means of examining selected issues on quality of care. It is my intention to publish the report as soon as it has been finalised.

The reason for the difference in the mortality rates which I referred to and those quoted in relation to cardiac patients is that they are not measuring the same cohorts of patients. As indicated, the indicator on AMI in-hospital mortality is an internationally accepted OECD measure. There is no comparable well-defined indicator of overall mortality from cardiac conditions. Further, the ESRI, which administers the HIPE system, has not been engaged in producing hospital-based mortality rates for cardiac patients.

As Minister for Health, I place great value on the use of high quality information in monitoring the performance of the health system and in informing decision-making. The HIPE system is our best source of comprehensive, validated data on hospital patients. It was originally designed to record type and volume of hospital activity, but it is increasingly important that HIPE be fully and appropriately utilised and enhanced to support robust quality measurement. The forthcoming report will represent an important contribution to this objective.

### Health Services

625. **Deputy Finian McGrath** asked the Minister for Health if he will support the case of a person (details supplied) in Dublin 3. [21965/11]

**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 referred to the Health Service Executive for direct reply.

### Long-Term Illness Scheme

626. **Deputy Billy Kelleher** asked the Minister for Health his views on including myasthenia gravis as a recognised condition under the long-term illness scheme; if so, when this will take place; and if he will make a statement on the matter. [21968/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** There are no plans to extend the list of conditions covered by the Long-Term Illness Scheme. However, the terms of the scheme will be reviewed in the context of the Government's proposals for Universal Health Insurance and free GP care at the point of delivery.

Under the Drugs Payment Scheme no individual or family pays more than €120 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of general practice consultations.

### National Lottery Funding

627. **Deputy Paudie Coffey** asked the Minister for Health the amount of national lottery funding his Department received in 2009 and 2010; and if he will provide a list of the money that was spent in tabular form. [21979/11]

**Minister for Health (Deputy James Reilly):** My Department administers a National Lottery Discretionary fund from which grants are paid to community and voluntary organisations. The total amount paid in 2009 was €3.985 million and in 2010 was €3.786 million. Following a decision by the Comptroller and Auditor General in 2010, the Appropriation Accounts no longer provides details of all recipients of lottery grants, but the information in relation to 2009 and 2010 is available on my Department's website at [www.dohc.ie](http://www.dohc.ie).

### Medical Cards

628. **Deputy John Halligan** asked the Minister for Health the proposals he will put in place to expedite the time frame associated with the processing of medical card applications; if his attention has been drawn to the fact that in some instances applicants are waiting for up to four months for assessments to be made; and if he will make a statement on the matter. [21985/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The Health Service Executive has centralised the processing of all new applications and renewals of medical cards at the Primary Care Reimbursement Service (PCRS) in Finglas, Dublin with effect from 1st July 2011. Applications received prior to the 1st of July are being processed locally. The new system will mean all complete medical card applications and renewals will be processed in 15

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days, which will deliver an improved service to the public. The executive has stated that there is no backlog of work in the central office and all complete medical card applications and reviews are being processed within 15 working days or less.

### **Ambulance Service**

629. **Deputy Sandra McLellan** asked the Minister for Health if he will give a commitment that current levels of ambulance service in Youghal, County Cork, will be maintained; if ambulance vehicles will be replaced by first responder or rapid response vehicles; if adequate investment will go into upskilling EMT and paramedic staff to advanced paramedic grade in the Health Service Executive south region to ensure there are appropriately qualified and experienced staff to fill all shifts at all times; and if he will make a statement on the matter. [22001/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the HSE for direct reply.

### **Hospital Services**

630. **Deputy Aodhán Ó Ríordáin** asked the Minister for Health if he will review the case of the Children's Hospital School, Temple Street, Dublin 1 (details supplied); and if he will make a statement on the matter. [22003/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

631. **Deputy John McGuinness** asked the Minister for Health if his attention has been drawn to the claim by the board of a hospital (details supplied) that their overspend is caused by the fact that the funding from the Health Service Executive is based on a catchment of 350,000 persons when the hospital in reality looks after 500,000 persons; if he will intervene in this matter; and if he will make a statement on the matter. [22036/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Health Services**

632. **Deputy Finian McGrath** asked the Minister for Health if he will support the case of a person (details supplied) in Dublin 5 regarding autism support. [22037/11]

**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 referred to the Health Service Executive for direct reply.

633. **Deputy Sean Fleming** asked the Minister for Health if the in-patient statutory charge in respect of a person (details supplied) in County Laois will be cancelled in view of the fact that this person has a medical card; and if he will make a statement on the matter. [22043/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Smoking Ban**

634. **Deputy Sean Fleming** asked the Minister for Health his plans to introduce a ban on



smoking in cars which are transporting children under 16 years; and if he will make a statement on the matter. [22049/11]

**Minister for Health (Deputy James Reilly):** It is recognised that smoking in cars exposes all the occupants to harmful environmental tobacco smoke (ETS). ETS is a carcinogen and contains the same cancer-causing substances and toxic agents that are inhaled by the smoker. There is no safe level of exposure to ETS.

Exposure to cigarette smoke is particularly dangerous in enclosed spaces, such as cars, and parents and others with responsibility for the welfare of children have a particular responsibility to ensure that such exposure does not take place.

While legislative measures have been introduced in a small number of countries in relation to smoking in cars with children the nature of the measures and of the accompanying compliance and enforcement arrangements have varied significantly. In some jurisdictions smoking in cars is treated as a driving offence while in other jurisdictions it has taken the form of an education tool aimed at highlighting the dangers of smoking in cars. Any proposal to introduce a ban on smoking in cars must, therefore, be evidence based, with data on the extent to which it occurs and the actual risks to public health. Consideration will also need to be given as to the extent to which it may be appropriate to deal with the issue as a road safety and a public health issue.

Before any new measures in this area are considered, it will, at the outset, be necessary to establish the extent of the problem. Thereafter, the successful introduction of measures with regard to smoking in cars will benefit from the roll-out of a public information and education campaign to mobilise public support.

A similar approach proved very successful in the introduction of the smoke free at work initiative and other tobacco control initiatives in the interim. These provisions were underpinned by a clear evidence-base, good planning, the mobilisation of public opinion by way of a public education and information campaign, and simple, clear and enforceable legislation.

Proposals relating to smoking in cars are being considered in the context of the Tobacco Policy Review currently underway in my Department and are expected to be completed and submitted to me within a matter of months. I have already signalled that I am in favour of legislating in this area but would like to see a public information and education campaign to highlight the dangers associated with exposure to ETS in cars and to mobilise public support in advance of the introduction of legislation.

### Health Services

635. **Deputy Sean Fleming** asked the Minister for Health if a person (details supplied) in County Laois will receive the necessary speech therapy that is needed for their development; and if he will make a statement on the matter. [22050/11]

**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 referred to the Health Service Executive for direct reply.

636. **Deputy Sean Fleming** asked the Minister for Health when the required funding will be made available in respect of a person (details supplied) in County Laois under the treatment abroad scheme; and if he will make a statement on the matter. [22051/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Tobacco Products

637. **Deputy Damien English** asked the Minister for Health, further to Parliamentary Question No. 248 of 18 May 2010, if he plans to continue the practice that the Office of Tobacco Control has no function in relation to reducing the consumption of illicit and counterfeit cigarettes; further to Parliamentary Question No. 376 of 24 May 2010, if the Tobacco Policy Review Group is looking at ways to specifically reduce illicit cigarette smoking prevalence; and if he will make a statement on the matter. [22055/11]

**Minister for Health (Deputy James Reilly):** The Deputy will be aware the Office of Tobacco Control was merged into the Health Service Executive (HSE) in December of last year. All of the core functions of the Office including the maintenance of the tobacco retail register, advice to the Minister on control and regulation of tobacco products, consultation with national and international bodies in the field of smoking prevention, making recommendations to the Minister on measures to reduce or eliminate smoking, and supporting research to identify measures to reduce the incidence of smoking, and preparing and publishing research were retained and a National Office for Tobacco Control has been set up within the HSE.

The HSE has no function in relation to illicit and counterfeit cigarettes which are primarily a matter for the Revenue Commissioners. In this regard, I am advised by the Revenue Commissioners that they continue to implement a wide-ranging programme of measures to combat illicit and counterfeit cigarettes including seizures of illegal products and prosecutions of offenders, monitoring of internet sites and importation routes, monitoring of sales patterns to identify and investigate irregularities and target enforcement activity, contributing to action taken at E.U. level to improve the controls of excisable products in the community, and monitoring of sea cargo on the basis of risk analysis-seizures. In the period 2008 to 2010 the Irish Customs Service seized a total of 532 million cigarettes with an estimated retail value of €222 million representing just under 30,000 individual seizures.

There is a range of measures under consideration by the Tobacco Policy Review Group (TPRG) including price, enforcement of existing legislation and cessation services. I anticipate that the report of the TPRG will be completed in the coming months and that this will be brought to Government for decision.

638. **Deputy Damien English** asked the Minister for Health, further to Parliamentary Question No. 376 of 24 May 2011, if the Tobacco Policy Review Group has studied the Irish Revenue Commission report published in February 2011 entitled Economics of Tobacco; his position concerning this report; and if he will make a statement on the matter. [22057/11]

**Minister for Health (Deputy James Reilly):** There is a range of measures under consideration by the Tobacco Policy Review Group (TPRG) including price, enforcement of existing legislation (e.g. bans on advertising, promotion and sponsorship of tobacco) and cessation services. This report by the Revenue Commission is being examined by the Group amongst a number of other reports as part of its work. I anticipate that the report of the TPRG will be completed in the coming months and that this will be brought to Government for decision.

### Health Services

639. **Deputy Billy Kelleher** asked the Minister for Health if the proper procedures were followed in relation to the recent awarding of a permanent consultant gynaecologist obstetrician contract at Sligo General Hospital; and if he will make a statement on the matter. [22080/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the HSE for direct reply.

### Stem Cell Research

640. **Deputy Anne Ferris** asked the Minister for Health when legislation will be forthcoming on the regulation of stem cell research in view of the fact that it is in the programme for Government; and if he will make a statement on the matter. [22090/11]

**Minister for Health (Deputy James Reilly):** My Department is developing policy proposals to regulate the area of Assisted Human Reproduction (AHR) with the intention of finalising them this year. These proposals will form the basis of legislation in the area of AHR and related practices, including stem cell research, and are subject to Government approval. The judgment of the Supreme Court in the RvR (*frozen embryo*) case (15 December 2009) will be taken into account in our deliberations on these proposals.

### Hospital Services

641. **Deputy Timmy Dooley** asked the Minister for Health if he will provide detailed statistics on the mortality rate increase in the mid-west region, and County Clare in particular, due to the reconfiguration of accident and emergency services in that region; and if he will make a statement on the matter. [22112/11]

644. **Deputy Timmy Dooley** asked the Minister for Health the steps he is taking to counteract the mortality rate increase projected due to the reconfiguration of accident and emergency and surgical services in the Mid West region; and if he will make a statement on the matter. [22126/11]

645. **Deputy Timmy Dooley** asked the Minister for Health the proposed changes to the delivery of cardiology services at Ennis General Hospital, County Clare; and if he will make a statement on the matter. [22127/11]

646. **Deputy Timmy Dooley** asked the Minister for Health the position regarding the reconfiguration of accident and emergency and surgical services at Ennis General Hospital, County Clare; and if he will make a statement on the matter. [22130/11]

647. **Deputy Timmy Dooley** asked the Minister for Health the proposed changes to the delivery of acute medical services at Ennis General Hospital, County Clare; and if he will make a statement on the matter. [22131/11]

649. **Deputy Timmy Dooley** asked the Minister for Health if he plans to retain the coronary care unit at Ennis General Hospital, County Clare; and if he will make a statement on the matter. [22135/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 641 and 644 to 647, inclusive, and 649 together.

In relation to the provision of hospital services generally, I have instructed the HSE not to withdraw any services from acute hospitals unless and until I receive a full briefing on the details of what is proposed, the alternative arrangements to be put in place, and the overall implications for patients.

The National Acute Medicine Programme provides a framework for the delivery of acute medical services in hospitals. It seeks to substantially improve and standardise the care of

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acutely ill medical patients. The programme has been jointly developed by the HSE and the Royal College of Physicians of Ireland, to enable the hospital structure to meet present day needs in appropriate settings, thereby providing optimal care for patients.

The classification of individual hospitals will determine the type of treatment they may offer. It will be based on a range of parameters, including the type and level of complexity of treatment that can be performed safely. This in turn will be determined by factors such as volume of treatment carried out and the complementary specialties, back-up services and range of clinical skills available. The programme will set out how hospitals operate. In particular it will allow smaller hospitals to increase activity in areas such as day surgery, minor injuries, out-patients, rehabilitation and diagnostics, which are growths area for health care both nationally and internationally. I believe that smaller hospitals can and should provide as wide a possible range of services, close to the local community provided they are safe. I intend to prepare a framework for the development of smaller hospitals, which will set out how they will develop to reach their full true potential. This will specify what services are transferring to them, from the larger hospitals. Too often we have focused on what we are taking away rather than what we can add to services there.

All of this will be done with full regard to the safety issues highlighted by HIQA, in its reports on Ennis and Mallow Hospitals. When implemented, smaller hospitals will have a vibrant role, doing more work — not less — and meeting as many as possible of the needs of their local community.

Significant re-organisation of acute hospital and related services has already taken place in the mid-west region since April 2009. A single region-wide department of emergency medicine was set up with 24-hour Accident and Emergency services centralised in Limerick.

Staffing of the ambulance services in Clare and North Tipperary were enhanced and an advanced 24-hour paramedic service is in operation. Ennis and Nenagh provide an urgent care/minor injuries service for 12 hours a day). Acute and complex surgery (including all cancer surgery) is carried out in Limerick Regional. Day surgery is undertaken at Ennis, Nenagh and St. John's Hospitals. A regional department of Anaesthesia/Critical Care has been established and all critical care services are now provided in Limerick Regional.

Construction of a new critical care block in Limerick Regional Hospital is proceeding and this project is expected to be completed in the latter half of 2012.

There has been no indication of any mortality rate increase in the Mid West region since 2009 arising from the reorganisation of hospital and related services.

### **Thalidomide Survivors**

642. **Deputy Eoghan Murphy** asked the Minister for Health his views regarding the arrangement made between the parents of children affected by thalidomide and the Government in 1975. [22120/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** Irish survivors of thalidomide receive a monthly payment of up to €1,116 and an annual lump sum of up to €3,680 from the German Foundation for Thalidomide (The drug sold in Ireland in the 1950s and 1960s was manufactured by a German company). In addition the Irish Government provides a monthly payment of up to €1,109. The majority are in receipt of the maximum payments from both Germany and Ireland. All of these payments are tax free. Each individual automatically receives a medical card. Combining the German and the Irish payments Irish survivors of thalidomide receive on average a tax free payment of €26,000 per annum or €2,166 each month.

In accordance with the Programme for Government I met with both representative bodies of Irish survivors of thalidomide last Friday 15th July. I listened to their proposals for additional health care supports and financial assistance. I undertook to consider their proposals and have further discussions with them.

### Medical Cards

643. **Deputy Eoghan Murphy** asked the Minister for Health if EU pensioners are entitled to an Irish medical card without being means tested once they are in receipt of a pension from their country of origin; and if he will make a statement on the matter. [22121/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** EU Regulations 1408/71 and 883/04 on the coordination of social security systems provide for and support the movement of people within the EU, EEA and Switzerland. With regard to health care the principle is that persons exercising their right to move and stay freely within this area do not suffer disadvantage in accessing or paying for health services. The Regulations are binding on all member states and do not allow for any discretion in establishing entitlement. Therefore, a pensioner in receipt of a qualifying pension in a member state is entitled to access health care in another member state on the same basis as persons who are insured with and resident in that other member state. In Ireland, such a pensioner will be granted a medical card on production of the relevant form establishing entitlement. The cost of the health care is the responsibility of the member state to which the person is linked.

*Questions Nos. 644 to 647, inclusive, answered with Question No. 641.*

### Patient Statistics

648. **Deputy Catherine Murphy** asked the Minister for Health the number of incidents of harm and near-misses by hospitals and community-based health care facilities reported in 2009 and 2010; and if he will make a statement on the matter. [22134/11]

**Minister for Health (Deputy James Reilly):** The Health Service Executive (HSE) and the State Claims Agency (SCA) recently published details of the number of incidents of harm and near misses, which were reported by hospitals and community based health care facilities in 2010. The SCA works with the HSE to record and analyse incidents that are reported in our health care system.

The data is not available in the format requested by the Deputy. The total number of incidents reported in 2010 was 83,483 (56% in acute services and 44% in Primary, Community and Continuing Care services). The total number in incidents reported in 2009 was 83,847. The number of incidents reported is in line with international reporting. In Ireland there is now clear evidence of an enhanced culture of reporting and that the majority of serious incidents are being reported.

Slips, trips and falls are by far the most common incident that occur in a health care setting. Health care services have developed a range of policies, which are now in place right across various parts of the system, to minimise slips, trips and falls.

Medication errors account for 8% of the incidents reported. The HSE has established a Medication Safety Programme to help reduce medication errors. The programme will work to encourage health care professionals to be vigilant for allergies and to give advice on how to prevent inadvertent administration of allergenic. In 2011, the programme will also be developing a national drug administration record.

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Recording this information and examining it is an essential part of developing the patient safety agenda. The information informs future planning of health services, allows analysis of trends and gives services an opportunity to consider their own record in terms of patient safety. This forms a vital part of learning where issues exist so that steps can be taken to improve services.

*Question No. 649. answered with Question No. 641.*

*Questions Nos. 650 to 653, inclusive, answered with Question No. 624.*

### **Health Services**

654. **Deputy Jack Wall** asked the Minister for Health if a person (details supplied) in County Kildare is being deducted the correct payment; and if he will make a statement on the matter. [22153/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Organ Donation**

655. **Deputy Anne Ferris** asked the Minister for Health when legislation will be forthcoming on the change to an opt-out system of organ donation, rather than an opt-in system, as provided in the Programme for Government; and if he will make a statement on the matter. [22156/11]

**Minister for Health (Deputy James Reilly):** The Programme for Government includes a commitment to introduce an opt-out system of organ donation in order to improve the availability of organs for patients in need. My Department has consulted widely on this issue and is preparing legislative proposals on the donation and use of human organs for transplantation. These proposals will be included in a Human Tissue Bill which will also take into account the recommendations of the Madden Report on Post Mortem Practice and Procedures. My Department is working to finalise the proposals for me as soon as possible.

In addition to consent systems, there is evidence from other countries that good co-ordination at hospital level and counselling arrangements for relatives are significant factors in achieving high organ donation rates. I am therefore also considering what practices and organisational changes could further improve donation rates in this country. I welcome the establishment of a National Office for Organ Donation and Transplantation by the HSE. The Clinical Lead in that Office will endeavour to enhance organ donation in Ireland and underpin the quality of outcomes for patients following organ donation in line with the standards set in Directive 2010/53/EU on quality and safety of human organs intended for transplantation.

### **Hospital Accommodation**

656. **Deputy Mary Lou McDonald** asked the Minister for Health the full economic cost per day of a bed in public and voluntary hospitals. [22200/11]

**Minister for Health (Deputy James Reilly):** My Department has asked the HSE for the detailed information sought by the Deputy and I will be in further communication with her when it is to hand.

657. **Deputy Mary Lou McDonald** asked the Minister for Health the cost of the subsidy for public beds used by private patients in public hospitals. [22201/11]

**Minister for Health (Deputy James Reilly):** My Department has asked the HSE for the detailed information sought by the Deputy and I will be in further communication with him when it is to hand.

### Hospital Services

658. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to the State of providing medical care for private patients in public beds in public hospitals. [22202/11]

**Minister for Health (Deputy James Reilly):** My Department has asked the HSE for the detailed information sought by the Deputy and I will be in further communication with him when it is to hand.

659. **Deputy Mary Lou McDonald** asked the Minister for Health the revenue raised by the State from fees charged to private health insurers and private individuals for the provision of medical treatment for private patients in public beds in public hospitals. [22203/11]

**Minister for Health (Deputy James Reilly):** In the case of private patients occupying private beds in public hospitals, the income generated during 2010 amounted to €381 million, comprising €187m in the statutory hospitals and €194m in the voluntary and joint board hospitals. The figure in relation to the statutory hospitals is an audited figure taken from the HSE Annual Financial Statements, whereas the Voluntary Hospital numbers are subject to audit but would not be expected to differ in any material way.

Where private patients occupy public beds in public hospitals, no income is generated by the hospitals, with the exception of the €75 statutory inpatient charge. This charge applies to all patients, unless exempt, and hospitals do not break down the statutory charge between public and private patients. In 2010, €40m was raised in statutory inpatient charges.

### Hospital Co-Location

660. **Deputy Mary Lou McDonald** asked the Minister for Health the moneys budgeted for capital costs relating to hospital co-location for 2011 and 2012 in tabular form. [22204/11]

661. **Deputy Mary Lou McDonald** asked the Minister for Health the moneys budgeted for expenditure costs related to hospital co-location for 2011 and 2012 in tabular form. [22205/11]

662. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to the State of the abandoned scheme for the co-location of private for-profit hospitals on public sites; and if he will make a statement on the matter. [22206/11]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 660, 661 and 662 together.

No capital costs have been incurred to date in respect of the co-location model and the HSE has not made provision for capital costs for the years 2011 and 2012.

The HSE indicates that the total cost to date for professional advice, net of the private partner deposit of €350,000 in respect of each of four projects, amounts to approximately €1.46 million.

### Generic Medicines

663. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to the State for all medicine purchased within the public health system. [22207/11]

664. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to the State of the pharmaceuticals purchased through the general medical scheme, community drug scheme, high-tech scheme and hospital medicines in tabular form; a list of other schemes under which the State incurs the cost of pharmaceuticals in tabular form; the cost to the State of each of the latter schemes, citing the pharmaceutical cost, in tabular form. [22208/11]

665. **Deputy Mary Lou McDonald** asked the Minister for Health the moneys spent on pharmaceuticals by the State; the percentage of these drugs that are generic; and the savings to the State achieved by purchasing generics. [22209/11]

666. **Deputy Mary Lou McDonald** asked the Minister for Health the saving to the State if all hospital medicines purchased were generic, if this option was available. [22210/11]

667. **Deputy Mary Lou McDonald** asked the Minister for Health the savings to the State if all general medicines purchased were generic, if this option was available. [22211/11]

668. **Deputy Mary Lou McDonald** asked the Minister for Health the savings to the State if all high-tech scheme medicines purchased were generic, if this option was available. [22212/11]

669. **Deputy Mary Lou McDonald** asked the Minister for Health the savings to the State if all medicines purchased for the public health system were generic, if this option was available. [22213/11]

709. **Deputy Mary Lou McDonald** asked the Minister for Health the saving to the State if all community drug scheme medicines purchased were generic, where a generic option is available. [22638/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to take Questions Nos. 663 to 669, inclusive, and 709 together.

Expenditure by the HSE on prescribed medicines and other prescribed items amounted to over €2,263 million in 2009. This included payments to pharmacists and wholesalers under the following schemes:

Schemes	€m
General Medical Services Scheme	1,260.24
High Tech Scheme	331.3
Drug Payment Scheme	263.47
Long Term Illness Scheme	139.76
Methadone Treatment	10.56
European Economic Area Scheme	1.96
Health (Amendment) Act 1996	1.8
Dental Treatment Scheme	0.79

The balance of €254 million relates to hospital drugs and medicines supplied under ‘hardship’ arrangements. It was previously estimated that savings of approximately €23 million per year could be made if there was full generic substitution of medicines supplied under the GMS and other community drugs schemes. This figure was based on 2008 prices, 2008 ingredient costs and the availability of generics at that time. Since then the reimbursement prices of all medicines have reduced thus reducing the potential savings from increased usage of generic medicines. Discussions are currently ongoing with generic manufacturers with regard to further



reductions in the prices of generic medicines. The breakdown of expenditure on generic and non-generic medicines in hospital settings is not available. Expenditure on medicines in a hospital is managed as part of the overall hospital budget.

In 2009 16.4% of medicines supplied by the HSE under the GMS and other community drugs schemes were generics. There is significant scope to increase the usage of generic medicines in Ireland. The corresponding figures for the UK, the Netherlands, Denmark and Austria are 67%, 57%, 45.5% and 40.2% respectively.

The Department is finalising the Heads of the Pricing and Supply of Medicines Bill. This legislation will introduce a system of reference pricing and generic substitution for prescribed drugs and medicines. A number of high volume medicines are expected to come off patent in the coming years and this legislation will increase the scope for savings through the greater use of generic medicines. It is expected that the legislation will promote price competition among suppliers and ensure that lower prices are paid for these medicines resulting in significant savings for taxpayers and patients.

### Pharmacy Services

670. **Deputy Mary Lou McDonald** asked the Minister for Health the cost to the State of the over-prescribing of medicines via the public health system. [22214/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** A number of studies have estimated the prevalence and cost of potentially inappropriate prescribing for different groups of patients. However, there is no overall estimate of the cost of potentially inappropriate prescribing in Ireland.

The HSE is implementing a range of initiatives to maximise the appropriate prescribing of medicines. These include working in partnership with key health professionals to develop pathways for quality prescribing, promoting an extended role of the use of clinical protocols for the delivery of evidence-based prescribing and developing the role of community pharmacists and the introduction of patient-held prescribing records. In addition, the HSE Primary Care Reimbursement Service has introduced an on-line facility for GPs to review and self-audit their individual prescribing practice in comparison with the national average, which has been standardised for the individual GP's patient profile.

I have recently indicated that I intend to take an initiative to carry out a closer examination of prescribing patterns and I hope to finalise the details of this initiative shortly.

### Health Service Reform

671. **Deputy Ciara Conway** asked the Minister for Health the progress that has been made on the introduction of universal health insurance with equal access to care for all; the cost implication of such a switch; when the universal health insurance implementation group will publish a report; and if he will make a statement on the matter. [22238/11]

**Minister for Health (Deputy James Reilly):** The Government is embarking on a major reform programme for the health system. The aim of this reform is to deliver a single-tier health service that will deliver equal access to care based on need, not income.

While universal health insurance is the ultimate destination of this Government's reform programme, there are a number of important stepping stones along the way and each of these will play a critical role in improving our health service in advance of the introduction of universal health insurance.

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A key immediate priority is the establishment of the Special Delivery Unit (SDU) which I announced on the 1st of June. The SDU's priorities will encompass reducing the waiting times for admission to Emergency Departments, reduction in in-patient and out-patient waiting times and improved access to diagnostics. I have appointed Dr Martin Connor, an international expert, to head up the SDU. His principal task will be to build up the SDU and to prepare proposals on how best it can be placed on a permanent footing within the next six months. The resources of the National Treatment Purchase Fund (NTPF) will be refocused to align with the work of the SDU, and crucially, will allow for a progressive improvement in the performance of the nation's hospitals.

A further fundamental element in the reform process involves significant strengthening of primary care services to deliver universal primary care with the removal of cost as a barrier to access for patients. This commitment will be achieved on a phased basis to allow for the recruitment of additional doctors, nurses and other primary care professionals. The implementation programme will be overseen by the Minister of State for Primary Care, assisted by a project team of officials from the Department and the HSE.

Reform of the funding system for hospital care is also necessary. This will involve the introduction of a more transparent and efficient "Money Follows the Patient" funding mechanism and the introduction of a purchaser / provider split, whereby hospitals will be established as independent, not for profit trusts. To achieve this a number of initiatives are already underway in 2011 including a patient level costing project which involves tracing resources actually used by individual patients from the time of entry and admission to hospital until time of discharge. The HSE has also implemented a prospective funding mechanism for selected elective orthopaedic procedures, at selected sites.

Other important initiatives which will prepare the system for universal health insurance include the establishment of a new risk equalisation scheme for the private health insurance market, and the financial restructuring and authorisation of the Voluntary Health Insurance Board. I commissioned a report in April on the opportunities for rebalancing risk in the private health insurance market. This report will be submitted to me by the end of July 2011. In addition, I have asked the Health Insurance Authority, as the regulator of the private health insurance market, to examine the issue of provider costs in the market. I am currently reviewing the HIA's proposals on how this issue might be addressed.

The Government is also committed to the publication of a *White Paper on Financing Universal Health Insurance* which will outline the estimated costs associated with the introduction of universal health insurance. However, it must be emphasised that the precise cost of universal health insurance will significantly depend on the success of reform measures, such as those outlined above, over the next 3-4 years.

The Government has recently given approval for an Implementation Group on Universal Health Insurance. I am currently finalising details of the Implementation Group and I will announce these in due course.

### **Departmental Expenditure**

672. **Deputy Shane Ross** asked the Minister for Health the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22267/11]

**Minister for Health (Deputy James Reilly):** The information requested by the Deputy is currently being collated and will be forwarded to him as soon as it is available.

### Medical Cards

673. **Deputy Martin Ferris** asked the Minister for Health when a decision on a medical card will issue in respect of a person (details supplied). [22277/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Mental Health Services

674. **Deputy Pearse Doherty** asked the Minister for Health if he will report on the implementation of recommendations 15.2.1, 15.2.2, 15.2.3, 15.2.4, 15.2.5, 15.2.6, and 15.2.7 of A Vision for Change, the report of the expert group on mental health policy, relating to the provision of mental health services for people who are homeless; and if he will make a statement on the matter. [22280/11]

675. **Deputy Pearse Doherty** asked the Minister for Health his policy with regard to the discharging of patients from State psychiatric hospitals into care in the community arrangements; the number of such patients transferred from institutions to community care since 2006, broken down by year; the range of support services in place for such persons; if any studies have been conducted examining the relationship between care in the community and homelessness; and if he will make a statement on the matter. [22281/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** I propose to take Questions Nos. 674 and 675 together.

My Department has requested this information from the HSE and I will be in contact with the Deputy on its receipt.

### Medical Cards

676. **Deputy John McGuinness** asked the Minister for Health if a full medical card will be issued to persons (details supplied) in County Kilkenny. [22314/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

677. **Deputy John McGuinness** asked the Minister for Health if he will expedite the renewal of a medical card in respect of a person (details supplied) in County Kilkenny. [22315/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Hospital Services

678. **Deputy John McGuinness** asked the Minister for Health if an appointment at Waterford Regional Hospital will be arranged in respect of a person (details supplied) in County Kilkenny. [22317/11]

**Minister for Health (Deputy James Reilly):** The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved. As this is a service matter, it has been referred to the HSE for direct reply.

679. **Deputy John McGuinness** asked the Minister for Health if respite will be arranged in respect of a person (details supplied) in County Kilkenny; and if he will expedite a response. [22318/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

680. **Deputy John McGuinness** asked the Minister for Health if an operation to remove cataracts will be arranged as a matter of urgency in respect of a person (details supplied) in County Kilkenny; and if he will expedite the matter. [22325/11]

**Minister for Health (Deputy James Reilly):** The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved. As this is a service matter, it has been referred to the HSE for direct reply.

681. **Deputy John McGuinness** asked the Minister for Health if a cataract operation will be arranged as a matter of urgency in respect of a person (details supplied) in County Kilkenny. [22326/11]

**Minister for Health (Deputy James Reilly):** The scheduling of patients for hospital treatment is a matter for the consultant concerned in each case and is determined on the basis of clinical need. Should the patient's general practitioner consider that the patient's condition warrants an earlier appointment, he/she would be in the best position to take the matter up with the consultant involved. As this is a service matter, it has been referred to the HSE for direct reply.

### Medical Cards

682. **Deputy John McGuinness** asked the Minister for Health if a medical card will be approved in respect of persons (details supplied) in County Carlow. [22329/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

683. **Deputy Joe McHugh** asked the Minister for Health his views on a proposal to establish an inquiry line for Members of Dáil Éireann in view of the recent decision to process all applications for medical cards centrally; and if he will make a statement on the matter. [22342/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I understand that the Health Service Executive has issued details of dedicated contact details and an online query system to each Oireachtas Member to facilitate their accessing up-to-date information on medical card applications and renewals.

### General Practitioner Services

684. **Deputy Michael McCarthy** asked the Minister for Health the number of full-time GPs registered with the Irish Medical Council in 2011 and in 2006; the breakdown by terms of general, specialist and training registers; if he will list the number of new GP registrations that have been granted by the council each year since 2006; and if he will make a statement on the matter. [22343/11]

**Minister for Health (Deputy James Reilly):** The following information has been supplied by the Medical Council which is the statutory body charged with the responsibility for registration and regulation of medical practitioners in this State. General Practice is a specialty recognised by the Medical Council. As such, practitioners can make application to be registered in the Specialist Division of the Register, as specified by the Medical Practitioners Act 2007, having met the requirements to be so registered. A practitioner in the Trainee Specialist Division would only be recognised as a specialist in General Practice upon completion of training recognised by the Council.

The following table shows the number of medical practitioners who were registered with the Council, at the dates specified, who held specialist registration in the specialty of General Practice.

	Number of Registrants	Net Movement
January 2006	613	
January 2007	656	43
January 2008	1,319	663
January 2009	1,626	307
January 2010	1,907	281
December 2010	2,270	363
As at 19th July 2011	2,227	-43

685. **Deputy Michael McCarthy** asked the Minister for Health if he will list the total number of GPs who currently have State contracts and specify in tabular form the full spectrum of State contracts currently administered, the corresponding number of GPs engaged in each type of contract and the annual value of each contract to individual GPs; if he will give a specific breakdown of the number of GPs who have contracts in respect of the GMS scheme, the GP visit card scheme, the mother and infant scheme, the childhood vaccination scheme, and various Department of Social Protection schemes; if he will further list the number of GPs who are currently tied into more than one State contract; and, in respect of these individuals, if he will specify which schemes they are engaged in; the period that each contract lasts; and if he will make a statement on the matter. [22363/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** The HSE's Primary Care Reimbursement Service (PCRS) supports the delivery of primary health care by providing reimbursement services to Primary Care contractors (General Practitioners, Pharmacists, Dentists and Optometrists/Ophthalmologists) who have contracts with the HSE to provide services to members of the public in their own community.

Each year, the HSE publishes the PCRS's statistical analysis of claims and payments. The 2009 report shows that the number of agreements between the HSE and GPs was 2,663. This includes the General Medical Services (GMS) Scheme which covers medical card and GP visit card holders, the Primary Childhood Immunisation Scheme, the Health (Amendment) Act 1996 — (Hepatitis C Patients), Heartwatch and the Methadone Treatment Scheme. This statistical report is available on the website [www.pcrs.ie](http://www.pcrs.ie). The full list of payments to individual GPs for services under the GMS contract in 2009 is also available on this website.

There is no defined termination period for the renewal of these contracts, however GPs have a right to terminate their contracts, as they feel appropriate and the HSE can also terminate the contracts in certain circumstances. I have no function in schemes provided by the Department of Social Protection.

[Deputy Róisín Shortall.]

The other information sought by the Deputy is not readily available. However I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

### Medical Cards

686. **Deputy Patrick O'Donovan** asked the Minister for Health the position regarding an application for a medical and general practitioner visit card in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [22365/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

687. **Deputy Patrick O'Donovan** asked the Minister for Health if a person (details supplied) in County Limerick will qualify for a medical card and general practitioner visit card; and if he will make a statement on the matter. [22366/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### General Medical Service

688. **Deputy Michael McCarthy** asked the Minister for Health if his attention has been drawn to the fact that cuts in general medical service payments to general practitioners are having a disproportionate adverse effect on some rural GPs; the way he proposes to assist GPs affected by this measure in the future; and if he will make a statement on the matter. [22367/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** Fees and allowances paid to General Practitioners (GPs) under the General Medical Services Scheme, the Maternity and Infant Care Scheme, the Health (Amendment) Act 1996 (Hepatitis C patients) and the HeartWatch Programme amounted to some €435m in 2010. Regulations under the Financial Emergency Measures in the Public Interest Act 2009 (FEMPI) came into effect on 22nd December 2010. This applied an overall reduction of about 9% to a range of GP fees and allowances, which will result in full year savings in the region of €44m.

Under section 9 (13) of the FEMPI legislation, the Minister for Health is required to carry out a review of the operation, effectiveness and impact of the amounts and rates fixed under the regulations each year. This will involve full consultation with stakeholders. Any disproportionate impact on particular categories of GPs will be considered as part of this review process.

### Health Services

689. **Deputy Charlie McConalogue** asked the Minister for Health the number of patients awaiting speech therapy; the average waiting time for patients in County Donegal; and if he will make a statement on the matter. [22375/11]

**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 referred to the Health Service Executive for direct reply.

### Health Service Staff

690. **Deputy Charlie McConalogue** asked the Minister for Health the number of speech

therapists who will be working in County Donegal from September 2011; and if he will make a statement on the matter. [22376/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the HSE for attention and direct reply to the Deputy.

### Hospital Services

691. **Deputy Brendan Smith** asked the Minister for Health the proposals he has to develop a medical assessment unit at Monaghan General Hospital; and if he will make a statement on the matter. [22377/11]

**Minister for Health (Deputy James Reilly):** In order to fully consider the issues involved, I recently met with public representatives from Monaghan and requested a detailed clinical and financial feasibility study on such a development from the HSE. I understand that arrangements for conducting the study are currently being made by the HSE.

692. **Deputy Billy Kelleher** asked the Minister for Health his views on a statement (details supplied) that in some cases hospital budget overruns are due to incompetence by hospital management; if his attention has been drawn to which hospitals were being referred to; the action, if any, he intends to take to rectify this problem; and if he will make a statement on the matter. [22407/11]

**Minister for Health (Deputy James Reilly):** I recognise that the management of funding allocations by public hospitals poses a serious budgetary challenge. It is clear that if existing spending trends remain unchecked there will be a significant overrun at the end of this year. I have made it clear that such an overrun is not acceptable given the state of the public finances and this country's obligations under the Memorandum of Understanding with the IMF and EU. I am in ongoing contact with the HSE to ensure that all necessary steps are being taken to avoid any budgetary overruns while at the same ensuring the maintenance of services in line with the commitments given by the HSE and public hospitals.

I am on record as saying that every individual agency must take responsibility and do everything possible to stay within budget while delivering their planned level of service. Under its reform programme the Government has committed to achieving greater efficiencies in patient care and service delivery. These efficiencies will not be easy to achieve but I am certain that over time they will help to ensure that more people get access to services within a given quantum of funding. In this regard it is important that the management capacity in our public hospitals is sufficiently robust to meet these challenges.

The Deputy will also be aware that it is the role of the Special Delivery Unit, which I recently established, to address issues around the better and more efficient delivery of health services. The work of the SDU will contribute significantly to improving outcomes for patients and to greater efficiencies in the system.

### Prescription Charges

693. **Deputy Billy Kelleher** asked the Minister for Health when he intends to abolish the 50 cent fee on prescriptions; the legislative measures needed; and if he will make a statement on the matter. [22408/11]

**Minister for Health (Deputy James Reilly):** Prescription charges are provided for under Section 59 of the Health Act 1970 as amended by the Health (Amendment ) (No 2) Act 2010. Revoking these provisions requires primary legislation.

[Deputy James Reilly.]

It is my intention subject to Government approval to introduce legislation to abolish prescription charges for medical card holders.

### Medical Cards

694. **Deputy Michael McGrath** asked the Minister for Health the position regarding a renewal application for a medical card in respect of a person (details supplied) in County Cork. [22455/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Health Service Staff

695. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the salaries and expenses of all Health Service Executive executives and managers receiving more than €100,000 per annum. [22459/11]

**Minister for Health (Deputy James Reilly):** A number of senior management grades in the HSE have salary scales which involve amounts in excess of €100,000 per annum. The grades involved are those of National Director and Assistant National Director, Hospital Network Manager where appropriate, together with certain related grades. These grades and the relevant salary scales are set out below:

Position	(€)
National Directors (National Hospitals Office & Primary, Continuing & Community Care)	183,774
National Directors of Finance, HR and Population Health	158,296
Other National Directors	145,959
Hospital Network Managers, Assistant National Directors (Service Management in the PCCC Directorate)	96,211 — 117,591
Other Assistant National Directors and posts at an equivalent level	94,796 — 115,579
Local Health Office Manager	83,317 — 107,387

The Deputy will note that a number of these salary scales commence at amounts lesser than €100,000, but eventually reach amounts in excess of that. Certain other grades are paid a single rate.

The Chief Executive Officer of the HSE is currently in receipt of a salary of €273,796. This is a net figure, following the recent 15% voluntary reduction agreed to by the CEO.

The Health Sector Consolidated Salary Scales, which are prepared and issued by my Department, set out the rates of pay and allowances for staff in the public health service, in accordance with public pay policy. I have arranged for a copy of the full set of health sector salary scales to be provided to the Deputy directly, and for a copy to be placed in the Oireachtas library.

With regard to expenses, arrangements are in place in the HSE whereby staff may claim travel and subsistence payments in respect of relevant expenses incurred in the course of official duties. Subsistence rates are prescribed in respect of overnight stays away from the employee's home. Similarly, travel rates are set at a fixed amount per mile/kilometre travelled. The Executive issues circulars across the organisation from time to time, setting out the applicable rates. All travel and subsistence claims must be signed off by the appropriate line-manager, who must be satisfied that they are in order, prior to their approval. The Executive also has a foreign



travel policy in place. This policy highlights the importance of ensuring economy and value for money in all travel arrangements.

### **Departmental Properties**

696. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the amount of money raised to date by the sale of lands and properties formerly used for psychiatric institutions; the amount devoted to implementing fully A Vision for Change; and if he will make a statement on the matter. [22460/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** My Department has requested this information from the HSE and I will be in contact with the Deputy on its receipt.

### **Health Service Staff**

697. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Health the total cost to the State of the public and private contracts of hospital consultants. [22461/11]

**Minister for Health (Deputy James Reilly):** The costs associated with the employment of consultants by the HSE and HSE-funded agencies including salaries, employers PRSI, on-call/call-out and CME payments are estimated at €516m as of 20th July 2011.

### **Hospital Accommodation**

698. **Deputy Robert Troy** asked the Minister for Health if he will allocate the required funding to enable Mullingar Regional Hospital, County Westmeath, to staff the new 23-bed unit, which remains closed; and if he will make a statement on the matter. [22463/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

### **Hospital Services**

699. **Deputy Robert Troy** asked the Minister for Health the current services provided by Navan Hospital, County Meath; and his future plans for this hospital. [22464/11]

**Minister for Health (Deputy James Reilly):** Navan Hospital is an integral part of the Louth / Meath Hospital Group and I am determined that it will continue to play an important role in the delivery of clinical services in the Louth / Meath area and to patients in other parts of the North East Region.

Navan Hospital provides inpatient services including general acute medical, elective orthopaedic including complex joint replacement surgery, ICU, CCU and HDU. Day services include medical and surgical, elective endoscopy and elective orthopaedic surgery. There is a 12 hour Medical Assessment Unit and an out patient department incorporating orthopaedic, gynaecology, ophthalmology and paediatric clinics. Other services include day medical cardiology, day diabetic, radiology, laboratory, physiotherapy, occupational therapy and speech and language therapy.

At present Navan Hospital also continues to provide a twenty-four hour Emergency Department. I have stated that any changes to the operation of the Emergency Department can only be carried out after significant improvement in the performance of the Emergency Department at Drogheda.

In order to fully consider the issues involved, I will be taking account of the current organisation of acute services in the region and the important clinical programmes being developed

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by the HSE. I acknowledge the need for communication with the local community at this time and understand that the HSE is available to meet with community representatives, as I am myself.

In this regard, I met with the consultants in Navan Hospital and with the Save Navan Hospital Alliance last week. At that meeting I set out the position with regard to the Emergency Department at Navan Hospital. I am absolutely clear that, due to need to ensure the safe delivery of services and best outcomes for patients, changes need to take place at the Emergency Department. However I have been equally clear that such changes need to be carried out in a planned way and that there will be full consultation on any changes. I estimate that it will be at least six months before any changes to the Emergency Department in Navan can be effected.

### **Appointments to State Boards**

700. **Deputy Anne Ferris** asked the Minister for Health the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the programme for Government; and if he will make a statement on the matter. [22474/11]

**Minister for Health (Deputy James Reilly):** Although the overall membership of State boards under the aegis of my Department is well balanced, with 56% of the membership being male and 44% female, some individual boards do not have a balance of 40% of each gender. In so far as possible, when making appointments to such boards I will continue to ensure the appropriate balance.

### **Departmental Equipment**

701. **Deputy Dara Calleary** asked the Minister for Health the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22492/11]

**Minister for Health (Deputy James Reilly):** My Department currently provides computer services to the Department of Health, the new Department of Children and Youth Affairs, Adoption Authority of Ireland, Office of the Ombudsman for Children and the Office of the Disability Appeals Officer. In total there are 60 operational servers providing a range of ICT services with a total disk capacity of approximately 68 TB (terabytes) making the average server capacity approximately 1.13 TB. None of these servers are leased. The requested details in relation to the agencies under my Department's aegis are not readily available as it is an operational matter for the agencies themselves and my Department does not routinely compile or hold this information. I am referring the Deputy's question to the relevant agencies including the Health Service Executive for its attention and direct reply to the Deputy.

### **Mental Health Services**

702. **Deputy Joanna Tuffy** asked the Minister for Health the position regarding the Mental Health Act 2001; and if he will make a statement on the matter. [22505/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** The Government is committed to a review of the Mental Health Act 2001 which will be informed by human rights standards. I have recently agreed the following Terms of Reference;

In consultation with service users, carers and other stakeholders, to review the provisions of the Mental Health Act 2001 having regard to —

- (a) its general operation since its commencement;
- (b) the extent to which the recommendations of ‘A Vision for Change’ could or should be underpinned by legislation;
- (c) the provisions of the UN Convention on the Rights of People with Disabilities,
- (d) the current economic environment,

and to make a report to the Minister by June 2012 with recommendations, including recommendations for legislative amendments where appropriate.

A steering group comprised of officials from my Department, the HSE and the Mental Health Commission has now been established to oversee the review and the group had their first meeting last week. The group will undertake a wide ranging consultation in the Autumn to seek the views of the public, relevant stakeholders and other interested groups; the open consultation will be advertised in the Press. Following the public consultation process, the group propose to conduct a number of meetings with key stakeholders.

I have asked the steering group to prepare an interim report for me by 31 December 2011 setting out the results of the consultation process and the main issues and questions to be resolved in the full review. The substantive work of the review will then commence with the final report completed by mid 2012.

### Health Services

703. **Deputy Brendan Smith** asked the Minister for Health the position regarding the need to have GP services restored at Ballinagh Health Centre, County Cavan; and if he will make a statement on the matter. [22523/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

704. **Deputy Patrick O'Donovan** asked the Minister for Health if there are plans to build a primary care centre (details supplied) in County Limerick. [22525/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

### Departmental Bodies

705. **Deputy Joe McHugh** asked the Minister for Health the number of quangos, agencies and authorities that were established by his Department in each of the years 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22584/11]

**Minister for Health (Deputy James Reilly):** A total of 13 statutory bodies under the aegis of my Department have been established since 1997 as follows

Body	Year
Hepatitis C and HIV Compensation Tribunal	1997
Food Safety Authority of Ireland	1999
National Council for the Professional Development of Nursing and Midwifery	1999
Pre-Hospital Emergency Care Council	2000
Health Insurance Authority	2001

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Body	Year
Mental Health Commission	2002
National Treatment Purchase Fund Board	2004
National Haemophilia Council	2004
Health Service Executive	2005
National Paediatric Hospital Development Board	2007
Health and Social Care Professionals Council	2007
Health Information and Quality Authority	2007
Pharmaceutical Society of Ireland	2007

The number of staff (whole time equivalents) employed in the Department of Health, based on the figures given to the Department of Finance Census Section for the specified years, are outlined below.

Year	Numbers Employed in Dept of Health (WTE)
December 1997	433*
January 2011	437.06**

\*Includes staff employed in the General Register Office and the Adoption Board. Does not include seconded in staff.

\*\*Includes staff employed in the Office of the Minister for Children and Youth Affairs, the Office of the Disability Appeals Officer and the Health Repayment Scheme Appeals Office.

From December 1997 until December 2003, the numbers employed at the Department increased steadily, from 433 wte to 656 wte. Subsequently, from December 2003 until January 2011, the numbers employed at the Department decreased to 437.06 wte. This reduction has been achieved as a result of a number of developments including:

- the establishment of the Health Service Executive, the Health Information and Quality Authority and the Adoption Authority and the transfer of certain functions from the Department to these bodies;
- the transfer of the General Register Office from the Department to the Department of Social Protection;
- the Incentivised Scheme of Early Retirement;
- the Incentivised Career Break Scheme, and
- the moratorium on the filling of vacancies in the public service.

It should also be noted that the Department took on a number of additional responsibilities and functions during this period. Responsibility for Youth Affairs transferred into the Department and three agencies have been subsumed under the Government's rationalisation of agencies programme.

### Consultancy Contracts

706. **Deputy Joe McHugh** asked the Minister for Health if he will provide a report of the number consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information on the implementation of recommendations set out in each report; and if he will make a statement on the matter.

[22601/11]

**Minister for Health (Deputy James Reilly):** During the period specified by the Deputy a total of 266 reports have been commissioned by my Department. This spans a thirteen year period of widespread reform, huge technological advances, service expansion and fundamental change in our health system. The names and cost of these reports are set out in the tables below. The Deputy will appreciate that it would not be possible, given the large number of reports in question, to list all of the recommendations arising from these reports which are or have been implemented.

Health is an extremely complex environment involving a broad spectrum of primary and acute care services for the entire population, ranging from services for children and families, services for older people, mental health services and disability services. The nature, cost and burgeoning demand for services require that a strong emphasis be placed on the evidence base for policy and resource usage.

Many of the reports can be traced back to the development of services for cancer, cardiovascular health, health promotion and the subsequent evaluation of these strategies. A number of the reports deal with complex and ethical issues, for example, the Commission on Assisted Human Reproduction and the Green Paper on Abortion.

A strong feature of a number of the reports related to engagement in widespread public consultation. National and international expert advice are critical and vital components in the development of health strategy.

Reports have also been commissioned in the area of standards in health care. It is often argued that we don't give sufficient attention and prominence to the development and articulation of standards or best practice in the area of health and personal social services. Medical error is a feature of medical systems world-wide and Ireland is no exception. The reports of Independent Inquiries form an important part of the body of knowledge which reflects a responsive and accountable health system. Examples of these include the Tribunal of Inquiry into the Infection with HIV and Hepatitis C of Persons with Haemophilia and Related Matters and the Fitzgerald and Doherty reports into cancer misdiagnosis. Such Inquiries serve the public interest and ensure that we take appropriate corrective action to learn from experience and address the systems failures.

The commissioning of external reports is very much part of a modern and effective administrative system and helps to inform the development of policy, regulation and legislation for the health sector as well as serving the public interest. There is, and will continue to be, a need for objective, independent and expert review and evaluation of health services and health outcomes into the future.

Reports Commissioned in 1997

Name of Report	Cost
Adding Years to Life and Life to Years: a health promotion strategy for older people	€10,000
European Home and Leisure Accident Surveillance System	Nil
Long Stay Activity Statistics 1996	Nil
Report on the setting up of a national bone and related tissue service	€2,663

Reports Commissioned in 1998

Name of Report	Cost
European Home and Leisure Accident Surveillance System	Nil

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Name of Report	Cost
Epidemiological Trends in the Transmission of HIV 1992-1998	€3,809
Long Stay Activity Statistics 1996	Nil
Record Management Strategy	€36,346
Report of the Forum on Medical Manpower	Nil
Report of the Commission on Nursing: a Blueprint for the Future	€737,186
Review of the Health Amendment Act, 1991	€62,052
Workplace Health Promotion: Healthy Bodies, Healthy Work	€13,000

## Reports Commissioned in 1999

Name of Report	Cost
A review of Oral Health Promotion/Education activity in the Republic of Ireland	€21,607
An Evaluation of the Delivery and Monitoring of Water Fluoridation in Ireland	€53,963
Annual Report of the Inspector of Mental Hospitals for 1999	€10,000
Building Healthier Hearts	€10,100
Consumer survey relating to qualitative information on the important influences on demand for Health Insurance	€12,633
Drafting of a National Traveller Health Strategy	€17,755
Evaluation of Fissure Sealing and the Targeted Approach	€63,482
Evaluation of Oral Health Research in Ireland	€51,424
Fluoride Intake in Infants	€113,922
Fluorosis in 5 year olds	€66,878
Green Paper on Abortion	€102,258
Health Statistics Report 1999	€21,048
National Health & Lifestyle Surveys National and Regional Reports Phase 1	€371,000
Long-Stay Activity Statistics 1998	Nil
Oral and Dental Specialisation in Ireland	€47,320
Oral Health Studies of Adults and Children	€700,267
Probity arrangements within the Dental Services Treatment Scheme	€151,987
Report of National Joint Steering Group on the working hours of non-consultant hospital doctors	€158,717
Report of the National Advisory Committee on Palliative Care	Nil
Report of the Tribunal of Inquiry into the infection with HIV and Hepatitis C of Persons with Haemophilia and Related Matters	€47,057,000
Response to Professor Connett's '50 Reasons to Oppose Fluoride'	€31,058
Review of the Nursing Home Subvention Scheme	€13,820
Study into charges for private dental treatment	€6,348
Towards a Standardised Framework for Intercountry Adoption Assessment Procedures	€52,614
Treatment Utilisation in the Dental Treatment Services Scheme	€205,623
Use of Fluorides in the promotion of Oral Health in Ireland	€111,370
Youth as a Resource: Promoting the Health of Young People at Risk	€9,000

## Reports Commissioned in 2000

Name of Report	Cost
Final Report of the Empowerment of Nurses and Midwives Steering Group: An Agenda for Change	€23,320
Acute Hospital Bed Capacity: A National Review	€141,191
Ambulance Service Communication Study	€26,060
Analysis of Child Care Interim Minimum Dataset 1998	€8,304
Analysis of Child Care Interim Minimum Dataset 1999	€4,736
Annual Report of the Inspector of Mental Hospitals for 2000	€10,000
Critique of earlier Health Strategy 'Shaping a Healthier Future'	€21,469
Feasibility Study relating to implementation of Case-Mix based Risk Equalisation	€174,456
Report of the Forum on Fluoridation Ireland	€336,000
Long-Stay Activity Statistics 1999	Nil
Nursing Education Forum — A Strategy for a Pre-Registration Nursing Education Degree Programme	€23,221
Report of the Paediatric Nurse Education Review Group	€2,122
Report of the Working Group on National Anti-Poverty Strategy and Health	€190,000
Report on the Current and Future Supply and Demand Conditions in the Labour Market for Certain Professional Therapies	€38,092
Review of the Organisation and Management of "An Bord Uchtála" (The Adoption Board)	€20,895
Review of the organisational structures of the ERHA	€7,781
Report of The Commission on Assisted Human Reproduction	€633,809
The Development of Radiation Oncology Services in Ireland — Consumer survey of radiotherapy services in Ireland	€21,707
The Nursing and Midwifery Resource — Interim Report of the Steering Group	€17,775
Value for Money Audit of the Irish Health System	€616,000

## Reports Commissioned in 2001

Name of Report	Cost
Annual Report of the Inspector of Mental Hospitals for 2001	€11,951
Effective Utilisation of Professional Skills for Nurses and Midwives	€7,524
Evaluation of the North Eastern Health Board's Out of Hours Co-operative	€31,743
Evaluation of the Pilot Programme for the Education of Health Care Assistants	€76,000
Final Report on Options for System Development and Implementation	€62,737
Report on the steps open to the State to instigate an effective inquiry into the role of the international pharmaceutical companies into the infection with HIV and Hepatitis C of persons with haemophilia	€103,000
Heart Health Task Force Progress Report July 1999-June 2001	€35,500
Impact of Alcohol Advertising on Teenagers in Ireland	€45,000
Market research for the Department on the public's attitude to health matters	€99,040
National Blood Strategy Implementation Group Report	€55,000
National Evaluation of the Role of the Clinical Placement Co-ordinator	€25,359
National Standards for Children's Residential Centres	€4,000

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Name of Report	Cost
Pharmacy Review Group Report	€36,423
Policy Paper 1 — “The Invisible Student” Young Parents in Education — Policy Paper 2 — “I Hadn’t a Penny”	€37,457
Provision of Medical Indemnity Report: Provision of Clinical Indemnity Scheme Helpline service on behalf of State Claims Agency.	€979,012
Report of the Review Group on Health Service Care Staff	Nil
Report of the Working Group on Foster Care	€63,726
Report on the Regulation of Practitioners of Complementary and Alternative Medicine in Ireland	€18,982
Report on the Strategic Options for the Voluntary Health Insurance Board	€553,493
Report to the Minister for Health and Children: Independent Examination related to the Medical Council and the South Eastern Health Board	€7,770
Review of Dáil na nÓg 2001 — Professional Solutions	€8,433
Review of potential liabilities of Portiuncula Hospital	€1,921

## Reports Commissioned in 2002

Name of Report	Cost
A feasibility study on the costs and benefits associated with the introduction of a dedicated Helicopter Emergency Medical Service (HEMS)	€64,230
Analysis of Child Care Interim Minimum Dataset 2000	€4,868
Analysis of Question 1 of Public Consultation to the National Health Strategy “Quality and Fairness: A Health System for You” (2001)	€21,600
Annual Report of the Inspector of Mental Hospitals for 2002	€14,341
The Commission on Financial Management and Control Systems in the Health Service	Nil
National Task Force on Medical Staffing	€741,050
Audit of Structures and Functions in the Health System	€533,131
Childline Review — Children’s Research Centre	€45,000
Dental Epidemiology	€727,367
EHLASS Report 2001 — European Home and Leisure Accident Surveillance System	Nil
Evaluation of Pharmacy Regulations	€65,400
Inquiry into the Handling of Allegations of Child Sexual Abuse relating to the Diocese of Ferns	€2,028,498
Long-Stay Activity Statistics 2001	Nil
National Children’s Advisory Council — Facilitation for Young People and Report on Young People’s Participation on the Council	€14,483
National Children’s Advisory Council — Report of the Voice of the Child — National Youth Council of Ireland	€3,200
National Children’s Advisory Council — Report on the Implementation of Children First and Vetting	€9,809
Paediatric Palliative Care Needs Assessment — ‘A Needs Assessment for Children’	€71,944
Position Paper on Feasibility of Introducing a Cost of Disability Payment	Nil
Report of Mr Kevin Bonner on Monaghan General Hospital	€43,584
Report of the Independent Review Panel to the Minister for Health and Children concerning the birth of Baby Bronagh Livingstone on 11 December 2002	€7,841



Name of Report	Cost
Report on Social Work Workload Management	€30,000
Review of funding of sheltered workshops	€106,480
Review of Governance and Accountability in the General Medical Services Scheme	€130,584
Review of Proposed Pharmacy Models	€83,901
The Evaluation of 'Cancer Services in Ireland' A National Strategy 1996	€106,398
Report of The National Implementation Committee on Pre-Registration Nursing Degree Education	€317,000
The Nursing and Midwifery Resource — Final Report of the Steering Group — Towards Workforce Planning	€59,166
The Nursing and Midwifery Resource — National Study of Turnover in Nursing and Midwifery — Dept of Nursing Studies	€70,000

## Reports Commissioned in 2003

Name of Report	Cost
Promoting the Well-Being of Families and Children: A Study of Family Support Services in the Health Sector in Ireland	€207,869
A Census of Family Support in Ireland: Results of a Census of Family Support Services which were funded by Health Boards in 2002	€10,029
A Guide to the Children Act, 2001	€5,000
Adoption Legislation Consultation	€26,661
Annual Report of the Inspector of Mental Hospitals for 2003	€17,869
Children's Understanding of Well-Being	€16,625
Development of a Research Strategy for Nursing and Midwifery Research	€7,441
EHLASS Report 2002 — European Home and Leisure Accident Surveillance System	Nil
Evaluation of the South Eastern Health Board's Out of Hours co-operative	€61,743
Family Support in Ireland — Definition and Strategic Intent	€7,074
Heart Health Task Force Second Report on Implementation of the Cardiovascular Health Strategy July 1999-September 2002 'Ireland's Changing Heart'	€59,037
Interim Report of the National Breastfeeding Committee	€2,500
Irish Health Service Reform Programme — Dialogue on Implementing Reform — Communication and Consultation Programme July-September 2003	Nil
Long-Stay Activity Statistics 2002	Nil
Men and Domestic Violence: What Research Tells Us	€66,000
National Children's Advisory Council — Report on Alcohol Use/Misuse by Young People	€12,404
National Health & Lifestyle Surveys National and Regional Reports — Phase 2	€860,000
National Standards on Foster Care	€18,059
National Standards on Foster Care — Children's Version	€21,679
Report of the Expert Group on Mental Health Policy 'A Vision for Change'	€428,467
Report of the Postgraduate Medical Education and Training (MET) Group (Buttimer Report)	€313,040
Report of the Task Force on Assaults on Psychiatric Nurses	€9,750
Report of the Working Group on Treatment of Under 18 year olds presenting to Treatment Services with Serious Drug Problems	€10,249

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Name of Report	Cost
Report of the Working Group on Undergraduate Medical Education and Training (Fottrell Report)	€156,844
Report on the Regulation of Health and Social Care Professionals	€20,000
Review of circumstances surrounding the death of Róisín Ruddle	€150,656
Review of internal controls in the Department of Health and Children with a view to implementing the recommendations of the Mullarkey Report; and consultancy assistance with respect to the structure of the Management Information Framework (MIF) in the Department	€146,152
Review of Library and Information Service	€9,375
Survey and Report on Public Perceptions on Biomedical Research (RCSI)	€120,000

## Reports Commissioned in 2004

Name of Report	Cost
A critical appraisal of and commentary on “50 Reasons to Oppose Fluoridation”	€15,529
A Feasibility Study of the Inclusion of Blood and Tissue Data as a Component of the National Longitudinal Study of Children in Ireland	€75,504
Cultural Male Circumcision Report	€1,983
Evaluation of Coronary Heart Attack Ireland Register (CHAIR)	€64,100
Evaluation of Heartwatch	€81,700
Giving Children a Voice: Investigation of children’s experiences of participation in consultation and decision making in Irish hospitals	€27,294
Health Service Reform Programme Composite Report	Nil
Investigating the Impact on Children of Witnessing Domestic Violence: Nature and Adequacy of Child-Centred Services	€46,518
Kidscreen National Survey 2005	€49,911
Lourdes Hospital Inquiry — An Inquiry into Peripartum Hysterectomy at Our Lady of Lourdes Hospital, Drogheda	€2,955,000
National Primary Care Steering Group Progress Report	€6,493
National Children’s Advisory Committee — End of Term Report 2001-2004	€12,783
Obesity the Policy Challenges — The Report of the National Taskforce on Obesity 2005	€42,000
Play and Technology	€49,368
Public Perceptions of Biomedical Research	€120,000
Report by the Care and Management Sub-Committee of the National AIDS Strategy Committee on HIV/STI Services in Ireland	€5,053
Report from the Evaluation of the National Health Promotion Information Project	€13,600
Report of the Expert Group on Midwifery and Children’s Nursing Education	€3,407
Report of the Working Group to examine the development of appropriate systems to determine nursing and midwifery staffing levels	€4,712
Report on certain issues of management and administration in the Department of Health and Children associated with the practice of charges for long-stay patients in Health Board institutions (Travers Report)	€93,150
Research on Children’s Understanding of Wellbeing	€16,625
Review of the National Health Promotion Strategy	€19,713
Review of the Structures and Support Needs of Comhairle na nÓg and Dáil na nÓg	€26,611

Name of Report	Cost
The Child's Right to be heard in the Health Setting	€52,591
The Development and Implementation of Child Impact Statements	€25,410
The Process of Youth Homelessness: A Qualitative Longitudinal Cohort Study	€44,506
'What we Heard' and 'Speaking Your Mind' — Reports on the Service User Consultation Process and the Public Consultation Process for the Expert Group on Mental Health Policy	€169,714
Young People's Views about Opportunities, Barriers and Supports to Recreation and Leisure	€45,325
Young Voices: Guidelines on how to involve children and young people in your work	€64,485

## Reports commissioned in 2005

Name of Report	Cost
Comhairle Implementation Group Report	Nil
Dáil na nÓg Delegate Report 2005	€16,370
Evaluation of the Work of the Children and Young People's Forum	€17,740
Joint Ministerial and Coiste na dTeachtaí Report 2005	Nil
NCAC — Mid-Term Review of the National Children's Strategy	€57,500
Prospectus (co-located Private Hospitals)	€29,403
Reducing the Risk: A Strategic Approach (Sudden Cardiac Death Taskforce Report)	€23,900
Report from the Evaluation of the National Health Promotion Information Project	€13,600
Report of Consultation on the Health Act (2004) Part 9 — Complaints	€16,750
Report of Dr. Deirdre Madden on Post Mortem Practice and Procedures (Working Group).	€436,000
Report of the Long-Term Care Working Group	Nil
Report of the National Committee on Folic Acid Food Fortification	€25,000
Report on Public Consultation on the Development of a Recreation Policy for Young People in Ireland	€72,631
Sustaining Progress — Working Together to Reduce the Harms Caused by Alcohol Misuse	€9,100
The Irish Health Behaviour in School-aged Children (HBSC) Study 2006 (Research Project)	€505,385

## Reports commissioned in 2006

Name of Report	Cost
Dáil na nÓg Delegate's Report 2006	Nil
European Schools Project on Alcohol and Other Drugs (ESPAD) Research Project	€48,400
Evaluation of the Irish Haemovigilance System	€9,432
First Annual Report of the Independent Monitoring Group on 'A Vision for Change' the Report to the Expert Group on Mental Health Policy	€3,324
HIV and AIDS Education and Prevention Plan 2008-2012	€27,118
National Children's Advisory Council (NCAC) — Report on Youth Volunteering in Ireland	€47,389
Report of the Working Group on Haemochromatosis	€2,537

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Name of Report	Cost
Report on the Outcome of Consultations with Teenagers on the Issues to be Considered by the Minister for Children when Examining the Age of Consent for Sexual Activity	€78,098
Research commissioned on : Children's Perspectives on Parenting Styles and Discipline	€17,000
Research Commissioned on : National Longitudinal Study of Children in Ireland (NLSCI)	The NLSCI contract covers the period 2006 to 2012. It is a fixed price contract amounting to €29,005,987.00 including VAT in 2005 prices.
Research commissioned on: A follow up study on the educational and Social Support experiences of Young People in Long Term Foster Care	€47,500
Research commissioned on: A Study of Parent-Child Agreements and Arrangements based on Court Records	€30,894
Research commissioned on: Child Protection Services in Ireland: An Evaluation	€64,493
Research commissioned on: Ethics Committees and Ethics Approval for Children's Research in Ireland	€35,973
Research commissioned on: Public Library Services for Children and Young People in Ireland	€56,864
Research commissioned on: Services and Supports for Children on Remand in Ireland	€59,573
Review of Administration and Processes, Department of Health and Children	Nil
Second Annual Report of the Independent Monitoring Group on 'A Vision for Change' the Report to the Expert Group on Mental Health Policy	€9,361
Slan 2007 — Survey of Lifestyle, Attitudes and Nutrition in Ireland (Research Project)	€1,807,641
Study of Efficiency and Effectiveness of Vocational Training Services and Rehabilitative Training Services for People with Disabilities Provided by Specialist Training Providers	€50,866
Value for Money Review of the Equal Opportunities Childcare Programme 2000-2006	€76,109
Health-related consequences of problem alcohol use	€35,500
Working Group on Alcohol and Drugs Synergies	Nil

## Reports commissioned in 2007

Name of Report	Cost
Dáil na nÓg Delegate Report 2007	€10,576
Doherty Report on Breast Radiology Services at Midland Regional Hospital, Portlaoise	Nil
Fitzgerald Report on Breast Radiology Services at Midland Regional Hospital, Portlaoise	Nil
Independent Inquiry into the tragic deaths of the Dunne Family in Monageer, Co. Wexford	€212,454
National Children's Advisory Council (NCAC) — Report on Youth Café Provision	€63,023
Quality Assessment of the Value for Money Review of the Equal Opportunities Childcare Programme 2000-2006	€2,995
Report of the Commission on Patient Safety and Quality Assurance	€42,086
Research commissioned on : The Physical Chastisement of Children by Parents	€126,723

Name of Report	Cost
Review of the Operation of the Mental Health Act 2001 — Findings and Conclusions	Nil
Round Table discussion on the financial abuse of older people	€3,000
Teenagers' Views on Solutions to Alcohol Misuse	€55,257
All Ireland Traveller Health Study	€1,697,496
Financial and Legal Advice on options for obtaining regulatory authorisation in connection with the VHI	€167,975
The Report of the Comhairle na nÓg Development Fund (2007-2008)	€46,655
Vaccine Damage Steering Group	€11,048

## Reports Commissioned in 2008

Name of Report	Cost
National Children's Advisory Council (NCAC) — End of Term Report 2005-2008	Nil
Report of the Independent Pharmacy Pricing Body	€41,497
Strategic Plan for the St. Ultan's Children's Project	€14,702
Dáil na nÓg Delegate Report 2008	€18,137
A Directory of Health Research Undertaken on Children (0-17 years)	€60,148
Evaluation Report on the Inclusion Programme: Office of the Minister for Children and Youth Affairs	€15,727
National Men's Health Policy 2008-2013	€20,604
Phase III of a Qualitative Longitudinal Study of Homeless Youth in Dublin	€22,000
Report on the Irish Medicines Board assuming the role of Competent Authority for Cosmetics Products	Nil
Research on Young Carers in the Irish Population	€108,476
Review of <i>Protecting our Future: Report of the Working Group on Elder Abuse 2002</i>	€66,460
Third Annual Report of the Independent Monitoring Group on 'A Vision for Change' — the Report of the Expert Group on Mental Health Policy	€16,154
Report of the Commission established to provide an independent assessment of how a 35 hour week can be achieved for nurses	€397,540
Review of the circumstances surrounding the elapse of time in bringing to completion the Western Health Board inquiry into allegations of abuse in the Brothers of Charity Services, Galway	€21,015
Study of certain Accounting Issues within the Health Service Executive	€54,450

## Reports commissioned in 2009

Name of Report	Cost
Value for Money and Policy Review of Disability Services	€30,940
Report of the Expert Group on Resource Allocation and Financing in the Health Sector	€71,657
Evaluation of the use of resources in the national population-based cancer screening programme and associated services	Nil
Health in Ireland — Key Trends 2009	€5,647
Dáil na nÓg Delegate Report 2009	€16,080
Action Plan for Health Research 2009-2013	€6,623

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Name of Report	Cost
National Policy and Strategy for the Provision of Neuro-Rehabilitation Services 2010-2015.	€7,040
A Quantitative Tool for Workforce Planning in Healthcare: Example Simulations	Nil
An Integrated Workforce Planning Strategy for the Health Services 2009-2012	Nil
A Review of Practice Development in Nursing and Midwifery in the Republic of Ireland and the Development of a Strategic Framework	€30,000
Teenage Mental Health: What helps and what hurts? Report on the Outcome of Consultations with Teenagers on Mental Health	€18,933
Value for Money and Policy Review of the Economic Cost and Charges associated with Private and Semi-Private Treatment Services in Public Hospitals	€2,000
IHR External Assessment Group Report: International Health Regulations, 2009	Nil
Research Study on National Strategies for Older People	€21,780
National Cardiovascular Policy Group	€44,484
Working Group to develop a National Substance Misuse Strategy	Nil
Report of the Implementation Group on Alcohol Misuse	Nil
Tackling Chronic Disease — A Policy Framework for the Management of Chronic Diseases	€3,600
Compensation for Thalidomide Survivors	Nil
Evaluation of the Comhairle na nÓg Development Fund 2009-2010.	€15,125
Consultation process with children living in the Care of the state as recommended in the Ryan Report .	€ 148,749
Evaluation of the Dáil na nÓg Council	€6,210
Report of the Health Insurance Authority to the Minister on Risk Equalisation .	Nil

## Reports commissioned in 2010

Name of Report	Cost
Drogheda Review — independent review in relation to Mr. Michael Shine	€134,196
Independent Child Death Review Group	Estimated: €150,000
Evaluation of the Suboxone Feasibility Study	€17,500
Compensation for Thalidomide Survivors	Nil
Value for Money and Policy Review (VFMPR) of Disability Services	€30,940
Report of the Working Group on the Inclusion of Children with Disabilities in Mainstream Pre-School Settings	Nil
Working Group on Sport Sponsorship by the Alcohol Industry	Nil
Tobacco Policy Review Group	Not completed — cost not yet available
Health in Ireland — Key Trends in 2010	€4,177
Fourth Annual Report of the Independent Monitoring Group on 'A Vision for Change' — the Report of the Expert Group on Mental Health Policy	€18,896
Strategic Framework for Role Expansion of Nurses and Midwives: Promoting Quality Care	€9,153
National Data and Research Strategy on Children's Lives	Nil
Ethics in Children's Research	Nil

Name of Report	Cost
Dáil na nÓg Council research into Social Personal and Health Education and Relationships and Sexuality Education Provision, 'Lifeskills Matter: Not just Points'	€17,052
Audit of Children and Young People's Participation	€31,107
Proposed Model for Reference Pricing and Generic Substitution	Nil
Value for Money and Policy Review of the Economic Cost and Charges Associated with Private and Semi-Private Treatment Services in Public Hospitals	€2,000
Review of VHI Claims Cost Control	€220,902
Consultation Report to Minister on Risk Equalisation	Nil
Consultation Report to Minister on Minimum Benefits	Nil
Towards a Restraint Free Environment	Not completed — cost not yet available
Interim evaluation of the Youth in Action Programme 2007-2013	€49,092
Health Technology Assessment — Prion Filtration	Not completed — cost not yet available

### Clinical Trials

707. **Deputy Charlie McConalogue** asked the Minister for Health if he has received a written proposal in relation to the development of a clinical trial site here (details supplied); and if he will make a statement on the matter. [22612/11]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As I outlined in my previous reply to you on 17th May this year there are a number of barriers and obstacles which exist in relation to the development of a clinical trial in Ireland for Duchenne Muscular Dystrophy, the most significant being the identification of a clinical lead in Ireland. My Department has not received a proposal in relation to the development of a clinical trial site in Ireland.

The Department is working on the development of a plan for rare diseases in Ireland which will optimise the recognition, diagnosis, prevention and management of rare diseases. This work will include issues such as research and access to clinical trials. It is expected that the report will be completed in 2012.

### Medical Cards

708. **Deputy Jack Wall** asked the Minister for Health the position regarding a medical card application in respect of a person (details supplied) in County Kildare; and if he will make a statement on the matter. [22613/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** As this is a service matter it has been referred to the Health Service Executive for direct reply to the Deputy.

*Question No. 709 answered with Question No. 663.*

### Health Service Staff

710. **Deputy Mary Lou McDonald** asked the Minister for Health the total number, in whole-time equivalents of temporary agency workers that were employed throughout the health service in the first six months of 2011; the average hourly rate of the agency workers for 2010

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and for the first six months of 2011; the total cost of the agency workers for 2010 and for the first six months of 2011 in tabular form. [22639/11]

**Minister for Health (Deputy James Reilly):** The information sought by the Deputy is not readily available. However, I have asked the Health Service Executive to supply this information to me and I will forward it to the Deputy as soon as possible.

### **Alcohol-Related Illnesses**

711. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of alcohol related hospital illness cases in Dublin central for each of the past five years, by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22660/11]

712. **Deputy Maureen O’Sullivan** asked the Minister for Health the cost of alcohol-related hospital illness cases in Dublin central for each of the past five years, by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22661/11]

713. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of alcohol-related non-hospital illness cases in Dublin central for each of the past five years, by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22662/11]

715. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of alcohol-related non-hospital deaths both by poisoning and by non-poisoning in Dublin central for each of the past five years, by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22664/11]

**Minister for Health (Deputy James Reilly):** I propose to answer Questions Nos. 711 to 713, inclusive, and 715 together.

As these are service matters, they have been referred to the Health Service Executive for direct reply.

714. **Deputy Maureen O’Sullivan** asked the Minister for Health the cost of alcohol related non-hospital illness cases in Dublin central for each of the past five years, by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22663/11]

**Minister for Health (Deputy James Reilly):** As this is a service matter, it has been referred to the Health Service Executive for direct reply.

*Question No. 715 answered with Question No. 711.*

### **Drug-Related Deaths**

716. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of deaths that had drug-use associations for each of the past five years by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22666/11]



717. **Deputy Maureen O’Sullivan** asked the Minister for Health the number of deaths that had drug-crime-related issues for each of the past five years by the DCC areas of Cabra, Glasnevin and north inner city; and if he will make a statement on the matter. [22667/11]

**Minister of State at the Department of Health (Deputy Róisín Shortall):** I propose to answer Questions Nos. 716 and 717 together.

The Health Research Board periodically publishes Indices of drug-related deaths. This information is collated from four primary sources — the Coroner Service, the Hospital In-Patient Enquiry Scheme, the Central Treatment List maintained by the Drug Treatment Centre Board and the General Mortality Register. Information is also collated from the Family Support Network. Figures are available for the years 2004-2008, with those for 2009 becoming available in the autumn. Drug-related deaths are defined as poisoning (directly related to drug use) or non-poisoning (indirectly related to drug use — medical causes and trauma).

Figures for the Cabra, Glasnevin and North Inner City areas, based on the electoral divisions listed below, are as follows:

	2006	2007	2008
Number of poisoning deaths	19	20	35
Number of non-poisoning deaths	33	31	33
Total	52	51	68

While the Indices do not distinguish deaths that were drug crime-related, I can advise that 38 of the 97 non-poisoning deaths in the 2006-2008 period arose from instances of trauma.

(The Electoral Divisions covered are Arran Quay A, Arran Quay B, Arran Quay C, Arran Quay D, Arran Quay E, Ballybough A, Ballybough B, Cabra East A, Cabra East B, Cabra East C, Cabra West A, Cabra West B, Cabra West C, Cabra West D, Finglas North A, Finglas North B, Finglas North C, Finglas South A, Finglas South B, Finglas South C, Finglas South D, Inns Quay A, Inns Quay B, Inns Quay C, Mountjoy A, Mountjoy B, North City, North Dock B, North Dock C, Rotunda A and Rotunda B.)

### Departmental Expenditure

718. **Deputy Mary Lou McDonald** asked the Minister for Health the money saved if all State agency board member payments in his Department were reduced by €10,000 where their current annual payment is in excess of €50,000. [22739/11]

**Minister for Health (Deputy James Reilly):** No savings would arise in the case of boards under the aegis of my Department as the fees payable to members or chairpersons of such boards would not exceed €50,000.

### Public Service Vehicles

719. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport his views on amending legislation to provide for a position in which a hackney business could be willed on by an owner to a spouse or child; if his attention has been drawn to the fact that such an amendment would allow a family to keep a family business in operation and would provide security for spouses of hackney business owners and would also provide greater security for persons with hackney licences who are currently employed by a hackney business. [21927/11]

720. **Deputy Paul J. Connaughton** asked the Minister for Transport, Tourism and Sport his views on amending hackney regulations to ensure that persons applying for a hackney licence have to provide a tax clearance certificate in relation to their hackney business, when they have one, as opposed to providing a tax clearance in respect of PAYE employment; if his attention has been drawn to the fact that an amendment would considerably enhance the Exchequer and would remove the loophole whereby applicants provide a tax clearance certificate in respect of PAYE employment, which allows them to access a new hackney licence for five years; if his further attention has been drawn to the fact that cross-checking such matters would be simple in view of the fact that applicants could be assessed to see if they already hold a hackney licence and if that is in operation. [21928/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** I propose to take Questions Nos. 719 and 720 together.

The regulation of the small public service vehicle sector, including the rules in relation to hackney licensing or the transfer of licences, is a matter for the National Transport Authority under the Public Transport Regulation Act 2009. I have referred the Deputy's Question to the authority for direct reply. The Deputy should advise my office if he does not receive a reply within ten working days. In my announcements of 8 and 24 June respectively, I clarified the terms of reference and the membership of the Taxi Regulation Review Group, in line with the commitment in the Programme for Government. The review will enable the necessary further reforms of the sector to allow consumers to have confidence in the taxi system while also ensuring that legitimate and competent operators and drivers can be rewarded fairly by operating under a regulatory framework that is adequately enforced. It will address a wide range of issues relating to the taxi sector including the current regulatory policy and practices, licensing systems, enforcement and future dialogue with the taxi sector. The consultation on the review extends to all interested parties and stakeholders through an invitation for written submissions to be made by 5 August 2011.

### **Road Traffic Offences**

721. **Deputy Ann Phelan** asked the Minister for Transport, Tourism and Sport if it is the case that parking in a cycle lane is not currently a fixed charge offence; his views on amending this, in view of a substantial amount of funding that has been allocated to improve these areas under the jobs initiative smarter travel package; and if he will make a statement on the matter. [21929/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under the Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006 (S.I. No. 135 of 2006), parking in a cycle lane during the operative hours is a fixed charge offence. The amount of the fixed charge, if paid within 28 days from the date the notice issued, is €40 and if paid within the next 28 days is €60. The enforcement of the offence of parking in a cycle lane is a matter for the Garda Síochána and Local Authorities.

### **Tourism Industry**

722. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport if he will support the case of a person (details supplied) in Dublin 3. [21934/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised is an operational matter for Fáilte Ireland. I have referred the Deputy's question to Fáilte Ireland

for direct reply. Please advise my private office if you do not receive a reply within ten working days. The Deputy may wish to know that Fáilte Ireland has arranged to meet the person referred to in the question on Tuesday, 26 July. It would not be appropriate for me to intervene in a case like this.

### National Lottery Funding

723. **Deputy Paudie Coffey** asked the Minister for Transport, Tourism and Sport the amount of national lottery funding his Department received in 2009 and 2010; if he will provide a list of the money that was spent in tabular form. [21982/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):**

The allocation of the proceeds of the National Lottery is a matter for the Minister for Finance. Under the Sports Capital Programme, which is administered by the Department of Transport, Tourism and Sport and part funded from the proceeds of the National Lottery, funding is allocated to sporting and community organisations at local, regional and national level throughout the country. The information requested by the Deputy is set out in the following table:

Year	€000 Subhead funding available	€000 Payments made
2009	€56,000	€58,738
2010	€48,000	€50,042

In both years the payments made exceeded the Estimates provision. This was because of virements of savings from other subheads to the Sports Capital subhead. The list of money spent under the Sports Capital Programme in 2009 and 2010 will be provided to the Deputy separately.

### Public Transport

724. **Deputy John Halligan** asked the Minister for Transport, Tourism and Sport his views on the proposed increases in fares to be implemented by Bus Éireann and Iarnród Éireann; his further views on whether increases such as these would be inappropriate in the current financial climate particularly given that the public should be encouraged to avail of public transport. [21986/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I am not aware of any current proposal by Bus Éireann or Iarnród Éireann to increase fares. Iarnród Éireann fares were increased by an average of 3% in February last, following approval by the National Transport Authority (NTA). The recently published CIÉ accounts for 2010 showed a deficit of €53.597 million for 2010. In the context of such figures, and the fact that the state subvention to public transport providers will decrease over the next number of years, I highlighted in public comment that the CIÉ companies will be required to look at further cost savings, service rationalisation and fare increases. Cost-cutting should take precedence over fare increases and service reductions but fare increases and service reductions will be inevitable if costs cannot be reduced sufficiently. I have communicated this also to the newly appointed Chairpersons of CIÉ and its subsidiaries. Of course, any proposal by the CIÉ companies to vary bus or rail passenger fares requires the approval of the NTA.

### Road Network

725. **Deputy Jack Wall** asked the Minister for Transport, Tourism and Sport his views regard-

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ing a submission (details supplied); if the National Roads Authority had a public consultation in regard to this issue; if same was advertised; the means that were available to local residents to address their concerns regarding this issue; and if he will make a statement on the matter. [22058/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport, I have responsibility for overall policy and funding in relation to the national roads programme. The planning, design and implementation of individual road projects is a matter for the National Roads Authority (NRA) under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Within its capital budget, the assessment and prioritisation of individual projects is a matter in the first instance for the NRA in accordance with Section 19 of the Roads Act. Noting the above position, I have referred the Deputy's question to the NRA for direct reply. Please advise my private office if you don't receive a reply within 10 working days.

### Sports Capital Programme

726. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport when applications will be opened up for funding under the Sports Capital Programme; and if he will make a statement on the matter. [22066/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** I am looking at the options available to me with regard to a new Programme within the present financial constraints, but no decision has been made about the timing of future rounds of the programme.

### Sports Funding

727. **Deputy Sean Fleming** asked the Minister for Transport, Tourism and Sport if funding will be made available to the Irish clay pigeon shooting team for the 2012 Olympic Games in the UK; if funding will be made available through the Irish Sports Council; and if he will make a statement on the matter. [22068/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The matter raised is an operational one for the Irish Sports Council. I have referred the Deputy's question to the agency for direct reply. He should advise my private office if he does not receive a reply within ten working days.

### State Airports

728. **Deputy Noel Harrington** asked the Minister for Transport, Tourism and Sport the number of scheduled flights into Cork Airport for each quarter for the past five years; if he plans to introduce any incentives to increase passenger traffic into Cork Airport; and if he will make a statement on the matter. [22078/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Information in relation to the number of scheduled flights using Cork Airport on an annual basis for the past five years is included in the Dublin Airport Authority's (DAA) Annual Report, a copy of which is laid before the Houses of the Oireachtas each year and which is available in the Library of the Houses. The annual accounts are also available from [www.daa.ie](http://www.daa.ie). With regard to the quarterly figures, these are an operational matter for the DAA. As such, this question has been referred

directly to the DAA for reply to the Deputy. If a response has not been received within ten working days, please advise my private office. The Government's recent Jobs Initiative includes a number of measures to encourage inbound tourism, one of which is a new growth incentive scheme which was introduced by the DAA in recent months. This new growth incentive scheme is due to run for the period 2011-2014. Passenger service charges at the three State airports will be rebated to the airlines once the threshold of the previous year's traffic total has been surpassed at the airport in question. The rebates to airlines will be in line with their contribution to the overall growth at the airport. This scheme is in addition to a range of other incentive schemes on offer to airlines at the three State airports. I would encourage all airlines to avail of these generous incentive schemes.

729. **Deputy Noel Harrington** asked the Minister for Transport, Tourism and Sport his plans to introduce incentives or other measures to encourage the export by flight cargo of high-value perishable goods out of Cork Airport to the Near, Middle and Far East; and if he will make a statement on the matter. [22099/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As measures to encourage flight cargo out of Cork Airport are the responsibility of the Cork Airport Authority, I have forwarded the question to the authority for direct reply to the Deputy. I ask the Deputy to contact my office if he has not received a reply within ten working days.

#### **Smarter Travel Scheme**

730. **Deputy Michael Conaghan** asked the Minister for Transport, Tourism and Sport when he expects a decision to be made on funding for the smarter travel scheme and the locations for the scheme, in view of the great enthusiasm shown and effort put in to date by applicant areas such as Drimnagh, Dublin 12. [22103/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The future of the Smarter Travel Areas Programme is currently under active consideration in the context of the available budget for 2011 and the National Recovery Plan. The size and availability of funding for the delivery of a Smarter Travel Areas programme of any scale must be considered in the context of the Government's and my Department's overall priorities. I appreciate that a great deal of enthusiasm and effort was displayed by Local Authorities in the Smarter Travel Areas application process and Local Authorities involved will be notified of the outcome shortly.

#### **Railway Stations**

731. **Deputy Michael Conaghan** asked the Minister for Transport, Tourism and Sport if there is scope within phase two of the Irish Rail Kildare route project to include the creation of a railway station in Ballyfermot, Kylemore Road, Dublin 10, in view of the fact that the area has been consistently disrupted by railway works over the past number of years, and will be again with the coming works, without any tangible benefit to the area. [22104/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, Tourism and Sport, I have responsibility for policy and overall funding in relation to public transport. Following the establishment of the National Transport Authority (NTA) on December 2009, the implementation and development of infrastructure projects in the Greater Dublin Area (GDA), such as the Kildare Route Project Phase 2, comes under the remit of the NTA. The legislative basis for this is Section 11(1)(e) of the Dublin Transportation Act 2008

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— Principal Functions of Authority — which states “the principal functions of the Authority are to secure the provision of public transport infrastructure”. With that in mind, I have referred the Deputy’s question to the NTA for direct reply. I ask the Deputy to advise my private office if he does not receive a reply within ten working days.

### **Taxi Regulations**

732. **Deputy Michael Conaghan** asked the Minister for Transport, Tourism and Sport if his attention has been drawn to the fact that a public taxi rank at St. James’s Hospital, Dublin 8, has recently been made private; if this is considered acceptable practice; and if he will make a statement on the matter. [22105/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** I refer the Deputy to the answer to Questions No. 467 and 474 of 12 July 2011. As I stated then, the operation and management of the taxi rank at the St. James’s Hospital is the responsibility of the Management Board of the hospital. I will arrange to forward the Deputy’s question to my colleague, the Minister for Health for direct response in this regard.

### **Road Network**

733. **Deputy Jack Wall** asked the Minister for Transport, Tourism and Sport the position regarding a piece of infrastructure (details supplied) for a town in County Kildare; and if he will make a statement on the matter. [22151/11]

**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 €439,676,000 is being provided for the maintenance and improvement of regional and local roads in 2011. This includes the additional €60 million provided by the Government under the jobs initiative. 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.

### **Public Transport**

734. **Deputy Thomas P. Broughan** asked the Minister for Transport, Tourism and Sport the numbers of drivers and staff at Dublin Bus and Bus Éireann at the end of the 2010; the numbers of drivers and staff at Dublin Bus and Bus Éireann at 1 July 2011; the figures for same at the end of December 2011; and if he will make a statement on the matter. [22159/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is a matter for Dublin Bus and Bus Éireann. I have referred the Deputy’s question to the companies concerned for direct reply. He should advise my private office if he does not receive a reply within ten working days.

### Light Rail Projects

735. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the projected cost to the State of the proposed metro north project; if consultants and or companies from outside of Ireland will be required to complete the project; the number of jobs drawing from the labour market here that will be created during the life of the project; and the social clause he plans to incorporate in contracts with consultants and companies who would deliver this project. [22215/11]

736. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the projected cost to the State of the proposed Dart interconnector project; if consultants and or companies from outside of Ireland will be required to complete the project; the number of jobs drawing from the labour market here that will be created during the life of the project; and the social clause he plans to incorporate in contracts with consultants and companies who would deliver this project. [22216/11]

737. **Deputy Mary Lou McDonald** asked the Minister for Transport, Tourism and Sport the projected cost to the State of the proposed Luas BXD project; if consultants and or companies from outside of Ireland will be required to complete the project; the number of jobs drawing from the labour market here that will be created during the life of the project; and the social clause he plans to incorporate in contracts with consultants and companies who would deliver this project. [22217/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I propose to take Questions Nos. 735 to 737, inclusive, together.

I am not in a position to give details in relation to the projected cost of these projects. The publication of such commercially sensitive information before the completion of the competitive procurement processes would prejudice the State's capacity to derive maximum value for money in respect of these projects. In addition, these projects are being reviewed as part of the Government's recently announced capital expenditure review. Obviously, the delivery of the Metro North project and the Dart Underground project will cost several billion each, while Luas BXD will cost several hundred million. All tendering for construction works relating to public projects must comply with EU and national procurement rules. The Capital Works Management Framework, overseen by the Department of Finance, sets standard contracts for public projects including relating to terms and conditions of employment. These are used by all State agencies including those under the aegis of my Department sponsoring major projects such as Metro North, Luas BXD and DART Underground. Any new versions of these standard contracts arising from future legislative changes would be adopted by the agencies as required. Subject to compliance with the above, the employment of individuals on public projects is a matter for the successful contractor.

### Departmental Bodies

738. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the number of workers who have expressed an interest in taking the voluntary redundancy package at the merging of the Railway Procurement Agency and the National Roads Authority; and his plans if 100 voluntary redundancies are not achieved. [22227/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The matter raised by the Deputy is an operational matter for the Railway Procurement Agency. I have referred the

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Deputy's question to the agency for direct reply. He should contact my office if he has not received a reply within ten working days.

739. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if employees of the merged Railway Procurement Agency and National Roads Authority will be civil or public service workers. [22228/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The proposed merger of the National Roads Authority and the Railway Procurement Agency is currently being examined by my Department. No decision has been taken on the status of the employees concerned.

740. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport if the merged Railway Procurement Agency and National Roads Authority will recognise a trade union (details supplied); if his attention has been drawn to the fact that this union had been left out; and if he will make a statement on the matter. [22229/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The proposed merger of the National Roads Authority and the Railway Procurement Agency is currently being examined by my Department. Consultation with employees and their representatives will be a matter for the Implementation team for the merger, when it is established.

#### **National Development Plan**

741. **Deputy Ciara Conway** asked the Minister for Transport, Tourism and Sport the progress that has been made on a new National Development Plan reflecting Ireland's changed economic circumstances covering the seven year period 2012 to 2019; when this document will be published; the key stakeholders in the plan; the way they are being engaged; and if he will make a statement on the matter. [22237/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Government announced a comprehensive review of capital spending across Government Departments last April. This review which is being overseen by the Minister for Public Expenditure and Reform is now under way.

The review requires that all proposals for both new and ongoing public capital funding to 2016 in all sectors be examined to establish a set of priority projects and programmes that will support economic recovery, provide employment opportunities and are affordable having regard to the current financial realities. The results of the review will form the basis of the new National Development Plan which should be finalised in the Autumn.

As part of the review process all agencies funded by my Department were requested to make submissions supporting their programmes and setting priorities in a scenario of reduced allocations. These submissions have informed my Department's conclusions on the priorities for funding in the transport, tourism and sport sectors from 2012 to 2016. My Department's response has recently been submitted to the Department of Public Expenditure and Reform.

#### **Departmental Expenditure**

742. **Deputy Shane Ross** asked the Minister for Transport, Tourism and Sport the sum of any public funds and their purpose which have been awarded by his Department either directly or indirectly to the Irish Business and Employers' Confederation in the past decade. [22271/11]



**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department has reviewed all its records and has not identified any award of public funds either directly or indirectly to the Irish Business and Employers Confederation in the past decade.

#### **Tourism Promotion**

743. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport the way he intends to capitalise on the recent successes of Irish professional golfers on the international stage; if, in view of Darren Clarke's victory at the British Open, there are now any plans to increase funding for Tourism Ireland's €2.2 million marketing campaign which was created following Rory McIlroy's recent success; and if he will make a statement on the matter. [22382/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The matter raised is an operational one for Tourism Ireland Limited, in the first instance, as the body responsible for promoting the island of Ireland as a visitor destination overseas, working together with Fáilte Ireland and indeed the Northern Ireland Tourist Board where appropriate. I have referred the Deputy's Question to Tourism Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days.

#### **Sport and Recreational Development**

744. **Deputy John Lyons** asked the Minister for Transport, Tourism and Sport if he will detail the extent to which sports promotion agencies within his remit utilise social media and other tools to promote physical activity and involvement in sporting and leisure events; his views on whether these tools can have a positive bearing on attracting certain age demographics into healthy activities; and if he will make a statement on the matter. [22386/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The matter raised is an operational one for the Irish Sports Council. I have referred the Deputy's Question to the agency for direct reply. Please advise my private office if you do not receive a reply within ten working days.

#### **Tourism Promotion**

745. **Deputy John Lyons** asked the Minister for Transport, Tourism and Sport his plans to attract high-profile sporting events to Ireland; and if he will make a statement on the matter. [22387/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):** The matter raised is an operational matter for Fáilte Ireland. I have referred the Deputy's Question to Fáilte Ireland for direct reply. Please advise my private office if you do not receive a reply within ten working days.

#### **Arbitration Processes**

746. **Deputy John Lyons** asked the Minister for Transport, Tourism and Sport his plans to ensure that all agencies under his remit sign up to a dispute resolution process that would prevent disputes through mediation and arbitration; and if he will make a statement on the matter. [22388/11]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Michael Ring):**

The matter raised is an operational one for the Irish Sports Council. I have referred the Deputy's Question to the agency for direct reply. Please advise my private office if you do not receive a reply within ten working days.

**Coast Guard Stations**

747. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport the position regarding a planned building project (details supplied) in County Cork under his aegis. [22444/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Office of Public Works is currently in a tender process for the construction of a Coast Guard Station in Crosshaven, Co. Cork. Bids are being evaluated by the OPW and a decision is expected in the near future.

**Driving Licences**

748. **Deputy Dominic Hannigan** asked the Minister for Transport, Tourism and Sport the consideration he has given to a reciprocal agreement with the Canadian Government to allow drivers to transfer licences from one country to another without the need for subsequent testing; and if he will make a statement on the matter. [22466/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Ireland has reciprocal exchange arrangements in respect of driving licences with a number of other countries. Irish rules on driver licensing operate within the framework of EU law, which means that we have reciprocal exchange relationships with other EU countries and with countries whose licensing regime is compatible with EU standards.

In the case of Canada, each of the Canadian provinces has its own licensing regime, with different standards in each case. This poses difficulties for potential recognition. However, I understand that there have been discussions recently between the Road Safety Authority and the Canadian authorities to explore whether it would be possible to agree some form of exchange relationship. It is my understanding that not all of the Canadian provinces were interested in pursuing the matter at this stage.

I have, of course, no objection in principle to agreeing an exchange relationship of this type with Canada and will give the matter careful consideration if it proves possible to reach an agreement which would involve all of the different Canadian provinces and their respective licensing systems.

**Departmental Equipment**

749. **Deputy Dara Calleary** asked the Minister for Transport, Tourism and Sport the number of computer servers that are owned or leased by his Department and each State agency under the aegis of his Department; and the capacity of each server. [22496/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** My Department has 128 physical servers which have a combined disk capacity of 23.8 TB. Additionally it has 97 virtual servers, which have access to a total shared storage area of 28 TB. My Department was unable to collate information from the Irish Coast Guard in the time available and will forward this information to the Deputy directly.

The number of computer servers owned or leased by agencies under the remit of my Department is a matter for the agencies themselves and I have referred the question to them for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten days.

### Harbours and Piers

750. **Deputy Brendan Griffin** asked the Minister for Transport, Tourism and Sport if he will contribute to the development of piers at Dunquin and An Blascaod Mór, County Kerry; and if he will make a statement on the matter. [22524/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Department of Transport, Tourism and Sport has no responsibility for the piers referred to in the question and no funding available for such piers. Such funding may be available through either the relevant local authority or the Department of Arts, Heritage and the Gaeltacht, which has responsibility for offshore islands.

### Appointments to State Boards

751. **Deputy Anne Ferris** asked the Minister for Transport, Tourism and Sport the steps he is taking to ensure that State boards have at least 40% of each gender, as provided for in the Programme for Government; and if he will make a statement on the matter. [22533/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Government has decided that new arrangements will be put in place for the making of appointments to State boards which will ensure that all appointees have the relevant qualifications and will facilitate achieving gender balance on boards. This involves broadening the pool from which Board directors are appointed by publically seeking expressions of interest for such appointments

My Department have already commenced this process and, with the assistance of the Public Appointments Service, have sought expressions of interest. In making future appointments, I will be fully cognisant of the commitment in the Programme for Government that all State Boards should have at least 40% of each gender.

It should be noted that of the more than 280 people who have contacted my office to express an interest in serving on state boards through this process, less than 50 were women. I will shortly be issuing a new call for expressions of interest on a rolling basis. To help redress this imbalance, I would encourage as many qualified and interested women to apply.

### Departmental Expenditure

752. **Deputy Olivia Mitchell** asked the Minister for Transport, Tourism and Sport if it has, in view of the change of name of the Department, procured a new logo, new signage or any other branding such as stationery; if so, the cost of same; and if he will make a statement on the matter. [22559/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Following a competitive process, my Department has this week selected a new logo with a design cost of €264. As with previous practice stationery with the new logo will be ordered as part of the normal reprint cycle, at no additional cost, on the basis of the contract negotiated by the National Procurement Service of the OPW.

No additional cost arose in respect of stationery. Existing stocks were used up and the full Department title was included at no extra cost when reprinting was necessary.

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In addition a contract has been placed (following a tender process) to erect signs with the new title on the exterior of the Department's three buildings in Dublin at a total cost of €2,086.

### Road Safety

753. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport if he will clarify a matter (details supplied) relevant to the testing of heavy goods vehicles; and if he will make a statement on the matter. [22561/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The roadworthiness testing of commercial vehicles is the responsibility of the Road Safety Authority and I have referred the question to them for direct reply. I would ask the Deputy to contact my private office if a reply has not been received within ten working days.

### Road Traffic Offences

754. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport the number of motor vehicles caught breaking speed limits since 2009 in tabular format on a county basis; and if he will make a statement on the matter. [22567/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The tabular statement below provides a breakdown on a County basis of the number of penalty points incidents entered to the National Vehicle and Driver File (NVDF) as a result of speeding offences notified to my Department by An Garda Síochána and the Courts Service.

My Department does not have details on the number of speeding detections.

Number of Drivers with Penalty Points applied for Speeding.

COUNTY	2009	2010	2011 (Jan - June)
CARLOW	1,633	1,355	1,335
CAVAN	1,837	1,909	1,458
CLARE	4,775	2,817	3,708
CORK	11,307	8,952	7,945
DONEGAL	3,085	3,763	2,039
GALWAY	5,202	4,702	4,421
KERRY	2,661	1,805	2,475
KILDARE	8,894	7,131	4,953
KILKENNY	3,422	3,177	2,027
LAOIS	2,683	1,428	1,036
LEITRIM	1,214	1,127	489
LIMERICK	3,516	3,270	3,408
LONGFORD	1,065	766	778
LOUTH	2,462	2,753	2,075
MAYO	3,309	2,568	1,831
MEATH	5,299	5,169	3,974
MONAGHAN	1,495	1,355	821
OFFALY	2,624	1,315	1,155
ROSCOMMON	1,949	1,939	1,201
SLIGO	2,861	2,699	856
NORTH TIPPERARY	3,077	1,477	1,293

COUNTY	2009	2010	2011 (Jan - June)
SOUTH TIPPERARY	2,938	1,915	1,500
WATERFORD	2,701	1,531	1,592
WESTMEATH	2,038	1,442	1,408
WEXFORD	4,829	6,149	2,583
WICKLOW	4,385	5,429	3,078
DUBLIN	24,980	30,332	19,985
LIMERICK CITY COUNCIL	1,094	895	1,366
WATERFORD CITY COUNCIL	1,910	1,148	1,172
NO DRIVER NUMBER	26,237	20,896	13,678
TOTAL	145,482	131,214	95,640

### Departmental Bodies

755. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport the number of quangos, agencies and authorities that were established by his Department in each of the years from 1997 to January 2011; the number of staff employed by his Department in 1997; the number of staff employed by his Department in January 2011; and if he will make a statement on the matter. [22588/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Since my appointment as Minister for Transport, Tourism and Sport on 9 March 2011, I have established no State agencies, quasi-agencies or authorities. My Department was not in existence prior to that date. In that context, it is not possible to give meaningful comparative staffing figures as requested by the Deputy.

With regard to future developments, I am working on a proposal to rationalise agencies and offices under my Department's remit. This includes the merger of the NRA and RPA into a single body, and the merger of the Air Accident Investigation Unit, the Marine Casualty Investigation Board and the Railway Safety Commission.

### National Lottery Funding

756. **Deputy Patrick O'Donovan** asked the Minister for Transport, Tourism and Sport if he will make national lottery funding available in respect of a centre (details supplied) in County Limerick. [22590/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Under the Sports Capital Programme, which is part funded from the proceeds of the National Lottery, an allocation of €75,000 was made to the organisation referred to by the Deputy in 2005 towards the costs of developing dressing rooms, showers and toilets. All of this funding has been drawn down since February 2007.

No decision has been made on the timing of the next round of the programme.

### Consultancy Contracts

757. **Deputy Joe McHugh** asked the Minister for Transport, Tourism and Sport if he will provide a report of the number consultancy reports commissioned by his Department between 1997 and January 2011; the cost of commissioning each report; if he will provide information

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on the implementation of recommendations set out in each report; and if he will make a statement on the matter. [22605/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The information is being compiled and will be forwarded to the Deputy within 10 working days.

### **Rail Network**

758. **Deputy Tom Hayes** asked the Minister for Transport, Tourism and Sport if he will justify the increase in the rail fare from Tipperary town to Waterford from €5.90 to €14.00; and if he will make a statement on the matter. [22617/11]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is an operational matter for Iarnród Éireann. I have referred the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.